

Rodriguez	Skelton	Towns
Roemer	Slaughter	Turner
Rothman	Smith (WA)	Udall (CO)
Roybal-Allard	Snyder	Velazquez
Rush	Spratt	Vento
Sabo	Stabenow	Visclosky
Sanchez	Stark	Waters
Sanders	Stenholm	Watt (NC)
Sandlin	Strickland	Waxman
Sawyer	Tanner	Weiner
Schakowsky	Tauscher	Wexler
Scott	Taylor (MS)	Weygand
Serrano	Thompson (CA)	Wise
Sherman	Thompson (MS)	Woolsey
Shows	Thurman	Wu
Sisisky	Tierney	Wynn

NOT VOTING—13

Ackerman	LoBiondo	Millender-
Campbell	McCollum	McDonald
Danner	McIntosh	Nadler
Franks (NJ)	McNulty	Stupak
Largent		Udall (NM)

□ 1421

Mr. SHOWS changed his vote from "yea" to "nay."

Messrs. METCALF, MOORE, and HOUGHTON changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. MILLENDER-MCDONALD. Mr. Speaker, on rollcall No. 185, I was detained by constituents and was unable to get to the floor in time. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. LOBIONDO. Mr. Speaker, I regret I was attending a family funeral today and unable to be present for the following rollcall votes, 183, 184 and 185. Had I been here I would have voted "yea" on all three votes.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 499 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 853.

□ 1424

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Iowa (Mr. NUSSLE) and the gentleman

from South Carolina (Mr. SPRATT) each will control 20 minutes; the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes; and the gentleman from California (Mr. DREIER) and the gentleman from Massachusetts (Mr. MOAKLEY) each will control 15 minutes.

The Chair understands that each committee will consume or yield back its entire time as just mentioned before the next committee is recognized.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to commend a number of Members on both sides of the aisle for their work on budget process reform. There are maybe a few Members of Congress and a few people watching who may think that this all of a sudden just came up in the last couple of weeks, but it did not.

In fact, I remember talking to Members of Congress when I first arrived as a freshman Member who were concerned about that year's budget process, 1990, when, as we may recall, as the body may recall, Members of Congress and administration officials were being shuttled back and forth from Andrews Air Force Base in a very "democratic process" in order to try and arrive at the end year result of what the budget would look like.

There were probably only a handful of people in this entire country divvying up the final \$1.3 trillion worth of spending tax increases, at that point. There were just a few Members in a little barracks, I guess, right off of Andrews Air Force Base, and they were making the final decisions of what was then the budget process.

At that point, as a freshman Member, and just about every year since, I made the commitment that this is something that I wanted to do. Well, there were many people that I worked with. I certainly could not and did not do this alone.

I first would like to commend my partner in this, and that is the gentleman from Maryland (Mr. CARDIN). The two of us were given the task of sitting down and trying to take all of the good ideas from Members since the 1974 Act was passed and to try and put them together in a comprehensive bill that addressed many of the problems that we were facing at that time.

□ 1430

So I want to commend the gentleman from Maryland (Mr. CARDIN), the gentleman from Minnesota (Mr. MINGE), the gentleman from Texas (Mr. STENHOLM), the gentleman from New Hampshire (Mr. SUNUNU), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Ohio (Mr. KASICH), so many people, the gentleman from California (Mr. COX), and the gentleman from Texas (Mr. BARTON), that we stand on their shoulders as we work together.

Why is this process broken, or how do we know it is broken? Well, one does not have to go back to my very first year as a freshman to 1990. Just go back to 1995, the government shut-down. Everybody certainly remembers that. In fact, that is the poster child for budget process reform. The same is true with 1998 when we did not even get a budget, did not even pass a budget that particular year.

So we have a number of different dynamics that proved to us as Members that the process is broken. So one can pick any year one wants and see a number of opportunities for the budget process to break down.

We also considered just about every alternative that was put before the Congress, both past and present. We considered every kind of lockbox one can imagine. We considered joint resolutions. We considered concurrent resolutions. We considered all sorts of things which people outside might glaze over in their eyes. They may not even be following.

But as I explained to a group of young people that I spoke to back in my district when they were asking me what I was going to be working on this week, I told them budget process reform. Of course, they do not quite understand what that would mean.

I said, well, it is the rules in which we govern our behavior in coming up with a budget. Those rules are not much different than when one dusts off that old Monopoly box that one pulls out from under one's bed, and one dusts it off because one has not played it in a while. So one is trying to remember the rules. One opens the box, and one looks on the back of the box, and there it says very clearly the non-outcome, in other words, it does not determine the outcome, but it says how one plays the games in a fair way so that the process can work its will, and that the players can achieve their end result on their own, based on those rules.

That is what we tried to do here. We did not game it. We did not say there is a special rule for this or a special rule for that. We did not take advantage for the Committee on Ways and Means or the Committee on Appropriations or any of the authorizing committees. We said, what is the best way for us to get a common sense result?

So what did we do? We looked back and we said, since 1994, when has the process worked? Do my colleagues know what? Mr. Chairman, we could only find one year where the budget process truly worked. Do my colleagues know what year that was? That was the year that we did not follow the budget process. It was 1997.

Let me remind my colleagues what happened. Early in that year, Democrats and Republicans met with both the House, the Senate, the administration together, and they said, how can we make sure that the budget process works? They came up with what was called a memorandum of agreement. That memorandum of agreement set

out the aggregate numbers by which the entire year worked. It said what taxes were going to be. It said what spending was going to be. It said debt reduction, how we were going to reduce the deficit.

Together in a memorandum of understanding, the White House, together working with the Congress, they came up with what was the framework for probably one of the most successful years of budgeting since 1974. So it was that process that we used as a boilerplate for this particular bill.

Now, since we wrote the bill and in the last few days when this bill has been coming to the floor, I have been having three typical conversations. One is, of course, Members who support the reform. They are very happy that we can prevent government shutdowns, that we can stop with the game playing and the political documents as part of a budget bill because it has to be real.

If we make it a joint resolution, it means the president of either party cannot come to the Congress in February and submit a budget that is dead on arrival, leave for 9 months, and come back when there are negotiations at Andrews Air Force Base. It means that the Congress and the Committee on the Budget cannot put a political document out on the table and leave and check out until October when the budget should have been done and we are already on the government shutdown, and they come back in to try to fix everything. It means that the process has to be real. It should not be political. It should not be a game. We are talking about \$1.8 trillion of one's hard-earned money that is being spent, that is being taxed, that is being used for the betterment of our country. We should have a process that works.

The second kind of conversation is from Members who I have to honestly suggest to my colleagues find a certain amount of advantage from our current chaos. I would suggest to my colleagues those are probably Members who find themselves in that last room on that last day putting the finishing touches on a 15,000-page bill. That is not me. That is not the gentleman from South Carolina (Mr. SPRATT). That is probably very few of us in this room right here today.

So are my constituents from Iowa being represented in that process? I would suggest to my colleagues no. Are my friends who are here today listening to the debate? Are their constituents being served by that process where one has no input, where the House is not working its will? I would suggest to my colleagues that it is not. It does work for those Members who observe a certain advantage of being in that room and taking advantage of that chaos.

The final group of people are those who are concerned about bringing the White House into the process. Mr. Chairman, should not the White House be in our budget process? I mean, I realize that my colleagues are all walk-

ing around here today suggesting that maybe we can do it all by ourselves, but did that not, in some respect, contribute to the government shutdown? Did that not, in some respect, contribute to the chaos and the confusion of years past when, all of a sudden, at the end of the year, be they a Republican majority or a Democratic majority, because the process was not real, at the last minute, in order to avert a government shutdown, had to rush into a room and try and finally put a finishing touch on that bill?

By excluding the President from this particular provision, what we end up doing is not make it real, not make it realistic. More so, we send a false sense of security to our constituents suggesting that, as long as we continue to have votes on all these bills, things must be proceeding successfully, when we all know with a wink and a nod that they are, in fact, not.

Now, there are some committees that have some specific concerns that have been coming up to me as well. One are the authorizing committees. For those of my colleagues listening, those are the committees, such as the Committee on Agriculture, the Committee on Transportation and Infrastructure, the Committee on Commerce, committees such as that. They are in charge of authorizing the many departments, laws, and agencies of our government.

They are concerned that if, in fact, we create a budget law at the beginning of the year, that, in fact, the Committee on Budget could decide to do all of the work for those other committees. I would suggest to my colleagues, not only is that protected in this legislation, but it is protected by the Speaker, and it is protected by the rules of our House. We do not have the ability to circumvent any jurisdiction at all in this bill. Do not buy the arguments that suggest otherwise.

The Committee on Appropriations. The Committee on Appropriations have some concerns with this bill. Why? Well, number one, I say very respectfully, and if I was a Cardinal, as they call them, one of the chairmen of the subcommittees of the Committee on Appropriations, I might kind of like this, too. But I am, of course, invited as one of the Cardinals into that final room to write the bill, and, of course, I kind of like that opportunity. So they oppose the bill because the current amount of chaos and confusion that gets us to that end result advantages that committee.

There are other committees, such as the Committee on Transportation and Infrastructure that has suggested that mischief might be created by that as well. But, again, I would suggest to my colleagues that all they are trying to do is to determine the outcome before the House gets to work its will.

I would just like to suggest to my colleagues, in closing, my part of this that we have an opportunity today to fix a process that is broken. Oftentimes, we come to the floor, and we do

not have a broken process. But even the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget, has worked on this, his staff. While they have not been in agreement, I respected his opinion on this and his input on this.

Even though we may want to agree on this, I would suggest to him that we have an opportunity today to fix the process that he knows is broken. In fact, the gentleman from South Carolina admitted that during the debate on the rule. This may not be exactly the best way in everybody's estimation, but it is a start, and we should not kill this bill on the floor today.

There is a reason why we have not reformed the process since 1974. The reason is, quite honestly, because people see some advantage in there to them, personal, jurisdictional advantage. What we have come up with is a non-outcome determining solution to this process. It has been an arduous task, to say the least, but we feel we have brokered a compromise that works well and allows the House today, as we debate this bill to work its will and to make a determination that does, in fact, fix this final process.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Chairman, this is sort of an interesting bill because it is kind of inside baseball. Nobody outside this building or outside this Hill really cares about it. But, therefore, it ought to be possible to have an honest discussion about what this is really all about.

This, in my view, is a repeal of the Committee on the Budget. It really is saying we are done with it, but we are not going to do it directly because we do it by three mechanisms.

One is, we say that the budget document has to be signed by the President. Now, let us just suppose, in the worst case, we have George Bush as President and a Democratic House of Representatives and a Republican Senate, and they fight, and they fight, and they fight, and we never get a budget resolution done? Now, what happens? Is the government paralyzed? Do we close down? No, we just go on, and they make it easier by repealing the May 15 deadline.

The Committee on Appropriations just goes about their business as though there was no budget resolution. We do not need a budget resolution essentially is what this says. Because if it gets snarled up in a fight between the White House and the Houses here, we will just go right ahead.

But the real hooker, the real fast ball in under one's fingers in this bill is the automatic CR. This establishes an automatic CR that goes in perpetuity

at the year 2000 levels. If nothing else happens, that is what we have got. Now, God bless the Committee on Appropriations. Their problem is going to have to be to reduce the funding in some things before they vote for things that increase the funding in other things.

Mr. NUSSLE. Mr. Chairman, will the gentleman yield?

Mr. McDERMOTT. Yes, I yield to the gentleman from Iowa.

Mr. NUSSLE. Mr. Chairman, only to let the gentleman from Washington know that we did take that automatic CR out of the bill. There will be an amendment later, and my colleagues can decide whether they want that as part of this bill.

Mr. McDERMOTT. Mr. Chairman, I want to make the Members aware of that issue because I know it is coming. Everybody who fears that the shutdown of 1995 is going to say we have to put that in there.

So those three elements will kill the Committee on Budget.

Mr. NUSSLE. Mr. Chairman, I yield 1½ minutes to the gentleman from New Hampshire (Mr. SUNUNU), a member of the Budget Reform Task Force.

Mr. SUNUNU. Mr. Chairman, I think it is always a good sign when one brings a piece of legislation to the floor like this one that is rooted in common sense, and the only opposition that can be put up is to argue against elements that are not even in the legislation. I think that is an indication of the strength of the bill, and I rise in strong support of it.

This is budgeting process. It is not necessarily exciting, but it is important. This legislation does a few basic things to put us back on a ground of common sense and fiscal responsibility. We give the budget resolution the teeth of law, allowing the President the opportunity to sign it into law, and thereby enable us to know where we are headed at the beginning of the process and make the outcome that much better.

We set aside for emergencies. Everyone in America would think that that makes sense to budget for emergencies or contingent funds at the beginning of the year. But we do not do it in Congress. As a result, we are caught in an endless cycle of supplemental and emergency appropriations where we have to exceed whatever our every budget caps might have been put into place.

We will take up the opportunity to look at 2-year budget cycles, which would give us an opportunity to improve the budget cycle by improving our capacity for oversight, to make sure that taxpayer funds are spent effectively.

The bottom line is that this legislation gives a better planning process to all of Congress. It improves the accountability that is in the system and puts us on a road to greater fiscal discipline and restores public confidence in the way we fund government. It is

not a cure-all. The opponents of this legislation will raise some legitimate concerns. But the objective is to incrementally improve the budget process and restore public confidence in the way we do business here in Congress.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this bill. I do want to commend those who have worked on it in good faith. I know that their intention is good. But this is a flawed remedy. It is not a convincing remedy. It might well do more harm than good.

I think we will all agree that the budget process is not working well. But it is a mistake to believe that endless procedural tinkering is the answer.

□ 1445

The problem is not mainly a flawed process. The challenge to us as Members is to use the existing process responsibly, and yet in recent years that has just not been done. In 1998, for the first time, Congress failed to even adopt a budget resolution. And for the past 2 years, the leadership has allowed Congress to approve budget resolutions that could not possibly be implemented, and then has facilitated waiving as many rules as necessary in order to break or circumvent or ignore those budget resolutions.

So if the budget process is broken, it is not so much that we need to tinker with the machinery as to use that machinery responsibly. We need to adopt realistic budget plans and then comply with the existing rules. The bill before us purports to address our problems by more tinkering with the machinery. But I think it looks for a fix in the wrong direction.

One of the best examples of this is the misguided proposal for biennial budgeting, and I will be able to address that, as will other Members, when the amendment process begins. Let me focus for now on the base bill and the proposal to make the budget resolution a joint resolution. That would bring the President into the process and would require his signature on the budget resolution.

I understand very well the attraction of this. I can remember times in the Reagan and Bush administrations when as Democrats we wished for a way to bring the President to the table earlier, to share responsibility for putting our fiscal house in order. But I believe the advantages of doing this are outweighed by the likely disadvantages.

First of all, I think this would invite further delays in the budget and appropriations process, beyond those we already experience. It would halt the process in years when the President or the Congress could not agree. I know there is supposed to be a fail-safe mechanism whereby we would then revert to a concurrent resolution. But when that kicked in, the process would already be way behind.

And then, finally, once the President and the budget committees found themselves negotiating over a real statute and not a planning document, they might very well succumb to the temptation to directly legislate, to load all kinds of controversies that properly belong in the reconciliation process or in authorization bills onto the budget resolution.

So this bill would take power away from the committees of this body and move it toward the Committee on the Budget, and away from the Congress as a whole and move it toward the President. I urge my colleagues to vote "no."

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, let me thank the gentleman for yielding me this time.

Mr. Chairman, let me just make a couple points, if I might. First, I want to compliment my friend, the gentleman from Iowa (Mr. NUSSLE), for the manner in which we developed this proposal. It was done in a bipartisan way, an honest effort to try to improve the process around here.

Let me make three points, if I might, first in regards to the joint resolution. In response to my friend from North Carolina, there is no opportunity to add, other than the budget requirements in the budget resolution. And if we do not enact the budget resolution, we report back to the current process. So there is really no danger there.

But the key here is to try to get the White House and the Congress engaged on the same page on the budget document of this country. Why is that important? In the last 10 years, we have only passed a budget on time twice, once under Democrats, once under Republicans. In the last 10 years, we have only passed the appropriation bills on time once. We have had summit after summit, we have had violations of the rules after violations of the rules, and what this all means is that the Congress is not as strong as it needs to be. None of us like a summit. We are all neutered in that process except for a few of us. This empowers each one of the Members in this body as well as the institution itself to be stronger.

Number two, emergency spending. Look what we have done with emergency spending in this body. Through the 1990s, we had 18 supplemental appropriation bills and 21 regular appropriation bills that included emergency spending. Much of this was not even emergency spending. It is time to reform this process and this legislation does it.

And number three, it is time for us to start moving towards accrual accounting. Members should try explaining to their business leaders why we are still on a cash basis accounting system. That allows us to play gimmicks with the budget, which is wrong. This is a good first step.

I urge the Members to please read what is in this document, because

there are statements being made that are just not true. We do not sunset any of the entitlement programs under this bill, but it sets up a way in which we can start reviewing government spending in a more responsible way.

I urge my colleagues to support the underlying reform bill. It will make us stronger as an institution.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I rise in very strong support of this bill. It is not a perfect budget process reform bill, but it is the most perfect budget process reform bill we can get to the floor, and I am for it.

A lot of the talk we will hear against it is really inside baseball against the prerogatives of certain committees or, in some cases, perhaps certain specific Members. I think the fact that we have to have a joint resolution signed by the President early in the process is a very positive step.

We have sat around here, those of us that have been in the body a number of years, and watched President Clinton demand more spending to sign the appropriation bills, or watched President Reagan or Bush demand less spending. Why not bring the President and the Congress together at the beginning?

In terms of the emergency day fund, how many emergency supplemental bills have really been just about emergencies? Not very many. This bill has a real definition and actually does try to budget for emergencies. I think that is a very positive step.

It does not have the 2-year budget biennium that we hope will be passed on the amendment, but if we pass that, that will be a good step, and I will speak later on other amendments as they come forward.

Mr. Chairman, I rise today to express my support for H.R. 853, the Comprehensive Budget Process Reform Act, introduced by Congressman NUSSLE. As a cosponsor of this legislation, I am very glad to see this important measure considered here today.

The American people are sick and tired, like I am, of the same old budget story coming out of Washington at the end of every year. The process in which we now fund our government has become one big staring contest—waiting to see who will blink first. Each year, hot political issues and scare tactics are used to hold up and stall the federal budget process so that at the end of the year some can attempt to cater the final budget numbers to be most appealing to their constituencies, regardless of whether or not the spending direction and levels are good for the country as a whole. This political game must be ended and sanity must be brought back to the federal budgeting process.

Since joining Congress, I have been a strong supporter of budget process reform. I believe that budget process reform is an essential key to reaching and maintaining a balanced budget. Passage of meaningful process reform would leave its mark on this Nation for

generations to come. In fact, I have introduced budget process reform legislation in this Congress, H.R. 2293, the "Budget Enforcement Simplification Trust" Act, or the "BEST" bill. This legislation, along with H.R. 853, recognizes the need for discipline and order in making spending and revenue decisions at the federal level.

There are many issues that H.R. 853 addresses that should be central to any budget debate. For example, I support the idea of a joint resolution. A joint, rather than the current concurrent, resolution would bring the President into Congressional budget deliberations and make him accountable for its success or failure. And, because the President would have the authority to veto an unacceptable resolution, a joint resolution would require Congress to pay attention to Presidential concerns. Unlike the current budget process, this new framework would make both the Executive and the Legislative branches stakeholders in the resolution's outcome and require them to agree on overall spending and revenue levels, annual deficits, total debt levels, and on the allocation of resources among budget functions and committees.

I understand that an amendment will be offered today to strike the provision in H.R. 853 that changes the budget resolution from a concurrent resolution to a joint resolution. I would hope that my colleagues would oppose this amendment and keep this important provision in the bill.

I am also glad to see included in H.R. 853 the creation of a Reserve Fund which would replace the "emergency" supplemental appropriations bills which have become a catch-all for non-emergency spending schemes. Disbursements will be only for certified natural disasters with tough procedures to ensure spending on only its designed purposes. An "emergency" should not be defined as a requirement lacking budgeted funds. Congress has become too reliable on labeling increases in spending as an "emergency" designation, when in fact, the emergency at hand does not coincide with the spending levels considered.

H.R. 853 also budgets for insurance programs on an accrual basis, which is the budget records net cost or receipts on a present value basis at the time the government commits to provide insurance. While I did not offer a similar provision in my BEST bill, I also see merit in this responsible treatment of insurance program transactions.

While Congressman NUSSLE's bill, H.R. 853, contains many similar provisions to my BEST bill, there are a few differences in the two. One main difference is the fact that my budget process reform bill calls for a biennial budgeting process, while H.R. 853 retains the annual budget and appropriation process.

I do want to elaborate some on this distinction between the use of biennial budgeting as compared to an annual budget and appropriation process. Today, an amendment will be offered by Rules Committee Chairman DRIER that will establish a two-year budgeting and appropriations cycle and budget timetable. I appreciate the efforts of Chairman DRIER in working to offer this important amendment and feel that this will go a long way to make an already good bill even better. I urge my colleagues to support his amendment.

There are many sound arguments as to why and how biennial budgeting would help make the federal budgeting process more reliable

and sensible. First of all, budgeting for a two year cycle would force Congress to be more careful in their spending habits and encourage members to be more responsible in the amounts and directions in which they allocate taxpayer dollars. Far too often, pet projects are added on to annual appropriations bills at the last minute, usually without the proper scrutiny of Congress. With one budget process every two years, the opportunities for that kind of spending would be cut in half.

Federal agencies would also be more efficient and cautious in how they use their funds because of the length and stability of their funding over a two year cycle. In addition, Congress would be able to exercise better oversight over these government agencies and programs to ensure that the financial commitment involved is sound fiscal policy for the country to undertake.

However, the most important aspect of biennial budgeting in my opinion is not what enacting it would do for Congress, but rather what it would allow Congress to accomplish. Each year, both parties state the many goals and accomplishments they hope to pass in order to improve the life of the American people. And each year, achieving these goals are becoming more and more difficult because of the time that is required to be spent on the annual appropriations process.

Imagine how productive Congress could be if instead of having to deliberate over every dollar the government will see that given year, we could commit more time to the different issues that most of us came here to work toward. I want to spend more time helping small business and small communities by cutting taxes and wasteful spending in our government and pushing for legislative proposals that give more freedom for the American people to work toward a better tomorrow. I think every Member would tell you that he or she would like to have more time and resources to pursue the types of issues that they were all sent to Congress for in the first place. Biennial budgeting can help to make that happen.

Again, I applaud this House for taking up budget process reform legislation here today. It is time for Congress to free up this process and allow this body to stand for more than annual appropriations battles. It is time for us to start spending our time and the American taxpayers' dime more wisely.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I rise in reluctant opposition to this bill. I want to commend the gentleman from Iowa and the gentleman from Maryland for their work on it, but I do not think this bill is fully done.

I have to say, Mr. Chairman, that we can come up with any budget process we want, but if the Members are not going to abide by it, it will not make any difference in the world. We could be back here, and probably it will not be any of us, but someone will be back in 10 years, if we enact this, saying, boy, the budget process is broken, we have to change it again. It ultimately comes down to the Members of the House and the Senate being willing to abide by it.

If we look at the reforms that were enacted in 1990, the pay-go and caps, when those were put into law, Congress actually abided by those for a number of years, until the Congress decided it did not want to. It was not a single party, it was a bipartisan effort that led the way. So whatever change is not going to make a good deal of difference.

Now, there are some good things in here dealing with emergency spending, although some of the language was changed, which I will talk to the gentleman from Iowa (Mr. NUSSLE) about later, I think the accrual funding is good, but I do think this idea of moving the goalpost, which is in effect what we have done, we have decided we are going to move the goalpost back up the field 50 yards rather than having it at the back, by having the fight with the President early on rather than later. The problem with that is, I think, that they might push the fight to the very end of the year and make it much more difficult. It may work, it may not, but I do not think it solves the problems that our colleagues are trying to solve.

I think they made an honest attempt. I do not think this bill is fully done yet. And, again, this is a matter of human nature. Nothing that we change in the process will make that much difference. So I think we should send this bill back to committee and work on it some more.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me this time. I oppose this bill as written, though I think it is indeed well intended.

For more than half a century biennial budgeting has been considered and rejected by many States. In 1940, some 44 States used biennial budgeting. Today, less than half do.

The bill will cause harmful delays, reduce accuracy in forecasting and planning, and obstruct legislative control in the budget process. Under this bill, harmful delays will result because a joint resolution, as is proposed, takes longer than a concurrent resolution, as is in current law.

Worse, Mr. Chairman, under this bill, from the time items within a budget are formulated to the time such items are implemented would be extended in a way that no one could be assured of accuracy.

Budget cycles for Federal agencies could extend over 2- or 3-year periods, and forecasting and planning would be affected by economic swings, inflation, and unanticipated need. Fiscal control would become elusive and fanciful. And, also, many of our colleagues believe we use emergency spending measures far too often now. Imagine how often we would be tempted to use emer-

gency spending measures if we were unable to get help to citizens in need due to the inherent sluggish budget process. I welcome the amendment that addresses this issue.

Moreover, the President and small groups of legislators would exercise inordinate power in a process where a determined minority could frustrate the will of the majority.

Mr. Chairman, the goals of the Comprehensive Budget Process Reform Act are laudable and we should commend the purpose of it. However, this bill gives us little more than we already have and threatens much of what we are required to do. Defeat this bill as it is currently written. We seek to fix things that are not broken and will result in breaking those things which we seek to fix.

Mr. Chairman, I rise in opposition to this bill.

For more than half a century, Biennial budgeting has been considered and rejected by many states.

In 1940, some 44 states used biennial budgeting. Today, less than half do.

Many states have considered and rejected biennial budgeting because it causes harmful delays; reduces accuracy in forecasting and planning; and constricts legislative control in the budget process.

Under this Bill, harmful delay will result because a joint resolution, as is proposed, takes longer than a concurrent resolution, as in current law. Not only would Congress be forced to await action by the President to pass a budget, but appropriations bills could not move until a budget is passed.

Current law, allowing appropriations bills to come to the House Floor after May 15th is repealed by this Bill.

Mr. Chairman, many of our colleagues believe we use emergency spending measures too often now. Imagine how often we will be tempted to use emergency spending measures if we are unable to get help to citizens in need due to an inherently sluggish budget process.

And, imagine the mammoth bills we would construct, with add-on provisions of every sort and kind, while attempting to pass a budget bill that must be passed before this Government can spend money.

Worse, Mr. Chairman, under this Bill, from the time items within a budget are formulated to the time such items are implemented would be extended in a way that no one could assure accuracy.

Budget cycles for Federal agencies could extend over two or three year periods, and forecasting and planning would be affected by economic swings, inflation and unanticipated needs. Fiscal control would become illusive and fanciful.

Moreover, the President and small groups of legislators could exercise inordinate power in a process where a determined minority could frustrate the will of the majority.

Senate Rules, different from House Rules, would empower Senators in a way never before seen.

Do we really want to surrender our role as representatives to the President and small bands of Senators?

Mr. Chairman, the goals of the Comprehensive Budget Process reform Act are laudable. But, we already have the authority to exercise

regular oversight and to adopt multi-year budget plans.

Why do we need a Bill to reaffirm that role? We have already stood for the protection of Social Security. Why do we need a Bill to make that stand again? We can already reauthorize or rescind spending programs. Why must we restate that authority? And do we really want to expose entitlement programs to the perils of biennial budgeting?

Mr. Chairman, we need, and the American people demand, predictability in our budgeting; calculated choices in deciding how much, for what purposes and when to spend; reliability as we proceed; and certainty in how we operate as we shape the budget of the United States.

This Bill gives us little more than we already have and threatens much of what we are required to do.

Defeat this Bill. It seeks to fix what ain't broke, and will result in breaking what it seeks to fix.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding me this time, and I compliment him on his leadership in standing up and offering a rationale on this issue we can all heed.

The Budget and Impoundment Control Act of 1974 was crafted for the purpose of giving the Congress a coequal role with the President in setting the budget of the United States. That law created a process whereby the Congress, after reviewing the administration's spending and policy priorities, would establish priorities and investment levels that reflect the appropriateness of our ideas, the people's body, and the people we represent.

This bill turns that initiative on its head. The joint resolution proposal brings the President into this Chamber and gives him three cracks at the budget ball; his budget, our budget, and the appropriation bills. That is a formula for failure. That is a formula for surrender of the prerogatives of the legislative body to the executive body.

Some of the advocates for this bill decry the 1990 budget summit, but, ironically, they are creating a formula for annual budget summits. Budget targets and committee allocations will be negotiated by the Committee on the Budget, the House and Senate leadership, and the President, without the participation of authorizing committees and the rank-and-file Members of this body. Most of us will be shut out of the process.

If my colleagues do not think so, think back on 1997. Three years ago. Three years ago this week we considered the 1997 Balanced Budget Act. Well, the gentleman from Pennsylvania (Mr. SHUSTER) and I offered a substitute to increase highway and transit spending, adjusting the deal by one-third of 1 percent. What did we hear? "A deal is a deal," intoned colleagues on both sides of the aisle. "Do

not break the deal," said a panicked White House, "Stick to the deal," said the Committee on the Budget.

At 2 a.m. in the morning, when I got a chance to debate the issue, I said, "Who is a part of this deal? Not me. Not the gentleman from Pennsylvania. Not most of those in the Chamber. We did not have anything to say about the deal. So why are we being asked to support it?" Well, that is where we will be if we pass this goofy idea.

□ 1500

With this bill, we will be in that kind of debate every year, eliminate functional categories from the budget resolution. We even take away our ability to offer amendments to the leadership-negotiated deal.

Well, the budget process is where we set our priorities, where we decide what the values are for America. It sets the priorities for the future. It is a process where every Member of this Chamber ought to have a voice and a say and have an equal role. This proposition cuts us out of that role. We ought to defeat this bill.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I thank my colleague for yielding me the time.

Mr. Chairman, this proposal that we are considering this afternoon gives us in the House of Representatives an opportunity to move ahead with a very ticklish task of developing a budget and trying to improve the rigors of the budget process in several different respects.

It is always easy to criticize progress and to say, oh, there is a parade of horrors here. If we try something new and different, we may have problems. Well, I submit that is really not the issue. The issue is do we have problems with the way we are currently handling our budget responsibilities. And indeed we do. The problems are legion.

One of them is that we do not find out until September or October of each year whether or not we have agreement with the White House. So one of the challenges is how can we move this dispute up to an earlier point in the year. This particular proposal does that.

The same thing for emergencies. The same thing for accrual accounting and a variety of other things that would represent improvements in the budget process.

I urge my colleagues to vote in favor of this proposal.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in support of the Comprehensive Budget Process Reform Act. While this bill will not fix everything that is wrong with the budget process, I believe it is a step in the right direction.

The current economic trend we are enjoying will not last forever. Now is

the time to increase accountability for spending taxpayers' dollars, strengthening enforcement of budgetary decisions, promote long-term budget planning, and encourage fiscal discipline.

This bill requires a binding budget resolution to compel the President and compel the Congress to agree, from the start, on levels of spending and not at the last moment, as is currently done.

Furthermore, this bill forces both the Congress and President to budget up front for long-term liabilities. It sets aside a strategic reserve, something we should have done years ago instead of the supplemental budgets that become Christmas trees. It closes existing loopholes in budget enforcement.

In addition, it will limit the authorization of any new spending program to not more than 10 years, and requires committees to submit a plan for reauthorization for all programs within 10 years.

I urge my colleagues to pass these important reforms.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, let me talk about my concern about this 2-year budget process.

I think that the worst thing we could do is allow the executive branch to have any more influence than they have. I mean, they send a budget over to us. Every year we dispose of that budget in one way or the other. If we dispose of it 1 year and we had 2 years, we would have little or no influence over the departments.

I was talking to the gentleman from Connecticut (Mr. LARSON) from Connecticut. They used to have a 2-year budget. They have to open their budget up every year and go through the same process they would ordinarily. But the problem with then having influence with the departments, they have no personnel in there, they would have none of the things that they are really interested in in their budget.

So what they would be doing, the process things that are so important to the changes that happen, the supplemental appropriation, all of the things that they need to do to make sure that things are operating smoothly would have to be taken care of every year. They would have to open the budget up. And yet all their personnel and things they are really concerned about would be taken care of every year.

Our Constitution is clear. We start the process. The Senate would have an inordinate influence because they have no rules over there and they would be able to add to any budget anything they wanted to add. And if my colleagues believe that we can see ahead 2 years, we get more changes from the Department of Defense, we get them before the committee, and the only real ability we have over them is to say, look, the budget is coming up and we will try to work things out. If we do not have that leverage, we are not going to have an influence over the De-

partment of Defense or any other department at all.

But the one that is really going to benefit is the White House. The White House is going to have that much more control. We pass about 95 percent of what they want. The control we have would be then limited.

I ask Members to vote against this idea, which I think sets us back and reduces the influence of the House.

Mr. NUSSLE. Mr. Chairman, I yield to my friend, the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I am reminded of a Rodney Dangerfield line where he comes home one night and his wife is packing and he says, "What is the matter, dear?" She says, "I am leaving." And he asked her, "Is there another man?" She looked at him and said, "There must be."

When I look at this system that we have today, the way we put a budget together, the way we are going to spend \$1.83 billion this year, I look at that and I say, there must be a better way. Because, essentially, what we have now is we have no rules. I mean, the House has one set of rules, the Senate has a different set of rules, and the President of the United States has no rules.

What is the President's target this year?

If we do not have the same target, if we do not have the same rules, how will we ever get there, how will we know where we are?

This is just simply a reform package that says we are all going to have the same set of rules.

I submit that not a single Member of this body can defend the system that we have today, let alone explain it. There must be a better way. This, I think, is one better way. If my colleagues have a better idea, we are willing to listen.

Mr. SPRATT. Mr. Chairman, could the Chair advise me how much time is remaining on our side?

The CHAIRMAN. The gentleman from South Carolina (Mr. SPRATT) has 3½ minutes remaining, and the gentleman from Iowa (Mr. NUSSLE) has 4 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I will stipulate that the budget process is broken, and I will stipulate that the gentleman from Iowa (Mr. NUSSLE) and the gentleman from Maryland (Mr. CARDIN) have worked in earnest and in good faith to come forth with solutions, some of which I agree with, but not all of them. In fact, I think there are provisions in this bill that could compound our budget problems rather than solving them.

At the core of the bill is a new idea: that we make the budget resolution a joint resolution rather than a concurrent resolution. Basically, this means

that the President has to sign it before it is effective. And when and if he does sign it, of course, it becomes law.

Now, frankly, I think that idea is not without merit. It could be the device for bringing the President and the Congress together earlier in the process rather than later in the process. But, in reality, we are all politicians and we know that these budget compromises are usually made at the 11th hour because that is usually when our back is against the wall and we have to come to some kind of decision.

The chances are that we would not have an agreement, not have closure with the White House, particularly in a divided government. And, in that event, this bill would not facilitate the process; it would not improve the process; it would only delay the budget process well into the month of June.

Now, if a joint resolution which becomes law is the chosen vehicle for the budget resolution, it also becomes a moving vehicle which is an occasion for passing all sorts of laws, not just budget laws, but other things too.

The text of the bill recognizes this problem and tries to prohibit these extraneous matters from being attached to the budget resolution. But we all know that the Committee on Rules in this House is master at overruling such prohibitions, waiving points of order. And in the Senate, the other body, there are hardly any germaneness rules, and 60 Senators can override anything.

So this moving vehicle becomes a vehicle for passing all kinds of laws. It opens the door to one-shot riders, such as some prohibition on abortion spending across the board, and to major legislation.

The President and the leadership might get together and decide they want to ram something through in a hurry, bypass the authorizing committees. That is why the Committee on Transportation, among others, has said this has insidious potential, this could open the door to all kinds of diversions.

What do we get if we do make it through this process, if this joint resolution does, in fact, get adopted? We get a shell of a resolution. The irony of this bill is they elevate the status of it to a law, and then they gut it if it is meaningful content.

What we get is about six or seven numbers. This debate is not about programmatic choices, it is about numbers. And because this particular bill would take the budget functions and put them in the report; would take the one power that the committee has, the power of reconciliation directives and put that in the report and downgrade the status of the two, we diminish the status of the debate on the floor.

The one opportunity when we come to the floor and have a debate on programmatic priorities is taken away from us, because we are not talking about programmatic priorities. There are no more budget functions in the resolution before us. They are just ag-

gregate numbers, discretionary spending, defense spending, nondefense spending, surpluses, and things of that nature.

So, this takes us back, it does not take us forward. I do not think this is an improvement on the process. That is why I think we should vote down the base bill and go back to work on real solutions to our budget problems.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COX), my friend who wrote the original budget process reform bill quite a few years ago.

Mr. COX. Mr. Chairman, I want to thank the gentleman from Iowa (Chairman NUSSLE), the chairman of the task force that is bringing this legislation to the floor; as well as his colleague, the gentleman from Maryland (Mr. CARDIN); the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget; the gentleman from Texas (Mr. STENHOLM), who, on the Democratic side, did so much work on this bill; the gentleman from New Hampshire (Mr. SUNUNU); and the gentleman from California (Mr. RADANOVICH), Members who spent a great deal of time making this happen.

A dozen years ago, Mr. Chairman, President Reagan stood at the rostrum just before us addressing Congress with his State of the Union message and he demanded that Congress reform the incomprehensible Budget Act of 1974. President Reagan submitted legislation to do just that.

I know, because, as a White House counsel, I drafted that legislation, brought it to Capitol Hill, and then 2 years later, as a Member of Congress, had the opportunity to introduce it here, with over 100 sponsors.

By the 105th Congress, that legislation had over 200 sponsors. And thanks to the leadership of the Members whose names I have just recalled, this bill is on the floor today 14 years later.

The ideas are the same. Rationalize this budget process. Make it a law, not a nonbinding resolution. Give us discipline. Plan for disasters. All of these reforms are in this legislation. It is the most important vote, perhaps, that we will cast this year. I urge an "aye" vote.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM).

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, I rise in support of this bill. It is not a perfect bill, but it is a good bill.

I would like to focus my comments on a provision that I have supported since I came to the Congress, a sunset requirement that requires Congress to review all programs at least every 10 years.

The bill also provides that any new program created by Congress ought to have its authorization limited to no more than 10 years.

There is no provision in H.R. 853 that would terminate any current programs

under any circumstances. I cannot understand why some of my colleagues are opposing such a common sense requirement.

I am very disappointed that some have resorted to scare tactics, suggesting that this bill would somehow threaten veterans' programs, student loans, Social Security, or Medicare.

The bill does no such thing. It simply requires that we, as Members of Congress, do our job in reviewing Government programs, see what is working, see what is not working, figure out what needs to be changed, what else we should be doing at least once every 10 years.

The Committee on Agriculture already lives with this requirement. Every 5 years we have a farm bill. This requirement that the farm bill be reauthorized every 10 years does not threaten agricultural programs. I do not see why some suggest this bill does.

Support it.

The CHAIRMAN. The gentleman from Iowa (Mr. NUSSLE) has 2 minutes remaining.

Mr. NUSSLE. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I have an opportunity here to fix something that is broken. That is why I proposed the particular bill that I did in a bipartisan way with so many different Members.

The excuses today are flying. Everyone says, well, the process is broken. Everybody admits it. There are very few coming to the floor today suggesting that it is not. The question is how do we fix it.

Most of the excuses regarding this particular method of fixing it surrounds whether or not the President should be involved in the process. And the complaint is that the President should not be involved in this process.

Well, wake up, my colleagues. The President is involved in this process. First, he has got to propose the budget. That is the first thing that has to happen.

Is it a realistic budget? I would submit to my colleagues that there has not been a President probably since the 1970s that did not submit a political document as their draft. I see my very good friend the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, nodding his head.

□ 1515

Both parties, is that not true? That is what is wrong. This is not a political exercise. This should be a practical exercise. Can you imagine a family paying its bills for the mortgage, for the lights, for the gas, for the water, paying for their kids to go to college and at the end of the year they gather all those checks together and they say, "Oh, we've got a budget. Just add all these up and that's our budget." That is basically what we do here. That it is okay to have the President involved at the end of the process but not at the beginning of the process I suggest to

my colleagues is a fallacy. We need to include to make this process responsible to the White House and the Congress early in this process.

There have been some that have suggested that in fact there would be a summit meeting. Well, heaven forbid we would actually have a conversation with the White House, be they of any particular party, prior to the last possible moment of the year when three or four people get to sit in a room and write the final bill.

Folks, wake up. The process is broken, it needs to be fixed. This is an opportunity to do so. Vote for the bill.

The CHAIRMAN. The time allocated to the Committee on the Budget has expired. It is now in order to conduct the portion of the debate allocated to the Committee on Appropriations.

The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. I thank the gentleman for yielding me this time, Mr. Chairman. I am reminded, since one of my predecessors at this dais today talked about Rodney Dangerfield, I read a comic strip once in Dog Patch, Little Abner. It seems they had a problem going in the Dog Patch. There was a gigantic curve, an S curve on the steep embankment and people were always running off the embankment. They were breaking their arms and their necks and their legs. So they formed a committee such as has been done here today and they came up with a resolve. The resolve the committee came up with was to build a larger hospital. That does not solve the problem. Neither does this underlying bill here today resolve a problem.

How could anyone in the United States House of Representatives not understand the Constitution sufficiently to be against this measure? Why delegate what authority you have as Members of the Congressional body to the President of the United States regardless of who he is? Some of us hope we have a Republican President in the next 4 years and therefore we would be advantaged, you might think. But the fact that we are delegating all of our constitutional authority is absolutely wrong and a big mistake.

What we are seeing here today are the same things that the Committee on the Budget has been leaning toward for a great number of years. They want to authorize and they want to appropriate. Now they want to lock in their suggestions, their power by getting the President of the United States involved in the process. This issue that we are debating today is not something for next year, it is not something for a biennial budget, it is a law that will be here until it is repealed by the Con-

gress of the United States and some future President signs it, which you would never get a President to do. He would veto a repeal of this mistake if indeed we were to pass it.

I urge my colleagues today to take a close look at what they are doing. There are many things in this bill I support. I support biennial budgeting, for example. Some of my colleagues are against biennial budgeting. But we can bring up biennial budgeting and we can debate that issue without involving this complicated, new idea that a great many members of the Committee on the Budget have come up with as a way to resolve a problem.

This is not the resolve. This is causing a greater problem for this Congress and leading us into dangerous territory when we delegate our constitutional authority to the administrative branch of government. I urge my colleagues to vote against the underlying bill.

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, absolutely the budget process is broken. The problem is that what is being proposed today will make it even worse.

The major argument that is being used for adopting this proposal is that too much time is spent in the budget and appropriations process and we have to find a way to shorten it. By making the budget a joint resolution which requires a signature by the President rather than a concurrent resolution which does not, you double the length of time that it will take for us to finish our job, because it requires Congress to reach agreement with the President not once but twice during each budget cycle, once on the budget resolution and the second time on each and every appropriation bill that will work their way through here. That is a prescription for having us never finish our budget business.

Secondly, we also have the problem of 2-year budgeting, which apparently is going to be attached to this proposal. The problem that I see when you move to 2-year budgeting is that we wind up living in a permanent race-track of supplementals. We have too many supplemental appropriations now when we set the budget for a year in advance. If you set the budget for 2 years in advance, the world is not static, wars happen, disasters happen, economic disruption happens, and that means we will be required to push through more and more supplementals. When that happens, there is a huge shift of power that takes place if we are in a 2-year budget versus a 1-year budget.

First of all, we will transfer an unparalleled amount of power to the Senate, because Senators do not have to work under a rule of germaneness. If we pass an education supplemental through here, the Senate can go through and add anything they want to it because they do not have a rule of germaneness. We have a Committee on Rules that requires a rule of germane-

ness. That fundamentally transfers power to the Senate.

Secondly, we have a total abdication of power to the agencies. It is hard enough right now to get unelected agencies to follow the instructions of the elected officials of the Congress. And if they do not have to pay any attention to us until the last 18 months of a budget cycle, you know that they will be even more obstreperous than they are right now in dealing with Congressional intent in any legislation. To me, that creates an even more unresponsive government than we have right now.

I would make just this one point. We are the last independent legislative body on the face of the Earth. The reason we are is because we hold tightly and fiercely to the power of the purse. It is only when you have the power of the purse firmly in the hands of this House that this House can meet its constitutional responsibilities to protect liberty, to protect justice and to protect the country against the abuse of power that comes from anyone who does not have to seek anyone else's approval for their conduct.

It is no accident that every President for as long as I have served here, including the one who serves now, wants to see 2-year budgeting and wants to see a joint resolution approach to the budget. It is because Presidents by nature want all the power—95 cents out of every dollar in every budget we have passed except 2 over the last 20 years has gone where Presidents have wanted that money to go. The other 5 percent is the difference between having a President and having a king. And when you move from 1-year budget to a 2-year budget and when you move from a resolution which is a congressional product to a resolution that requires the blessing of the President, then he controls the process at every juncture. And when we allow that to happen, we violate the very constitutional oath that we took to uphold the Constitution and within it Article I, which speaks to the duty of the Congress to stand independent, not on our behalf but on behalf of the people we represent.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding me this time on this critical issue of importance to this House and to the balance of power in this country. I could not agree more with my colleague from Wisconsin who just spoke. There are many, many times when he and I disagree, many, many times. But on this he has never been righter. At the heart of this is the constitutional power of the House of Representatives.

Just a couple of thoughts, Mr. Chairman. The Budget Act of 1974, it was a reform. This also is posed as a reform. Since that reform in 1974, we have created \$5 trillion in deficit spending. So that budget reform has been a disaster.

The second item is by allowing for 2-year budgets, we are now going to have to make assumptions on revenue and spending over 2 years. We cannot get it right over 1 year now. How in God's name are we going to plan for 2 years? So we go to a 2-year budget, we do not get our budget completed, we run on these automatic continuing resolutions. It is a mindless, Band-Aid approach to budgeting. We lose all incentive to resolve the budget issues each year because we go on automatic pilot.

What happens when we are on automatic pilot? One supplemental Christmas tree after another. Without the thought process that goes into the authorizing bills and the appropriations bills, we are on automatic pilot, we conjure up these supplementals, we cover them up with Christmas tree ornaments at the taxpayers' expense to get them through the process, and we completely blow the budget process even further wide open. If we want to continue to produce trillions and trillions of dollars in deficit spending, this is the right reform, Mr. Speaker, but if we want to exhibit and exert fiscal control, allow us to continue annually, one year at a time, to create a budget and to do it with the proper balance by using the authorizing committees to authorize the appropriations and the appropriations process to continue as it has the past several years in a proper way.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Dreier amendment and I rise in opposition to the underlying bill and in support of responsible budgeting that meets America's priorities and reflects their values. I understand the concerns of this amendment's sponsors and I support their goals. Vigorous Congressional oversight is vital if we are to safeguard public funds and ensure that Federal agencies follow Congressional directives. But biennial budgeting will not improve oversight or guard against increased spending. In fact, it will have the opposite effect. Biennial budgeting will reduce the oversight that the Congress has over government spending.

Agency heads, Cabinet secretaries, administrators, they all have to come to the Congress every year to justify their requests, to explain their actions, and to face tough questions. Why would Congress want to relinquish the power of the purse strings? With the biennial budgeting, these agencies have to only come every 2 years. We would have then less assurance that the agencies will spend money in the right way.

I also challenge the principle in the underlying bill of sunseting entitlement programs after 10 years. Does this include Social Security and Medicare? Why do we want to sunset Social Security and Medicare and deal with it every 10 years? Yesterday we had indication that there are those who would

privatize the Social Security system. Is this another way in fact to threaten those bedrocks of our commitment generationally to seniors in this country? It makes no sense at all for us to be talking about sunseting Social Security or Medicare or other entitlement programs every 10 years.

□ 1530

This is a blueprint for bad budgeting. It fails to meet the needs of Americans. Support responsible budgeting that is responsive to the needs of working families. I call on my colleagues to reject the underlying amendment and to reject the Dreier amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, last year a similar bill was introduced. The Committee on Appropriations asked that it be referred to the committee, and, after thorough consideration, we reported the bill with a negative recommendation.

Some of the things that we were concerned about have now been taken out of this basic bill, which makes us a little more happy. However, there are amendments made in order that would restore some of those items that we really do not want to see in this bill. So we will deal with those as they come.

I was going to use this chart later in the debate on the two year budget amendment, but I want to use it now since the gentleman from Wisconsin (Mr. OBEY) made such a compelling case as to how this bill would drag out the budget process by involving the executive branch of government at this early stage.

What I want all of our colleagues to know is if you look at this chart, every one of these months that are colored red are days that the Committee on Appropriations lost in dealing with its 13 appropriations bills. We lost all of that time, 6½ months, before we could even begin our work because we did not have a budget resolution. Until we have a budget resolution which allows us to make our 302(b) assignments, we cannot begin the actual markup of our legislation.

Now, if you look at the green color, that is how many days have gone by since we got the 302(a) allocation. Since that time, the committee went to work very rapidly. We have already marked up six of our 13 bills in subcommittee, and we have already marked up four of our major bills in committee. We already passed earlier today one of our primary bills, and we have others prepared to go to the floor. So we have done that much appropriations work in the couple of weeks that are colored green.

If we extend the time it takes before we can actually begin our work for another 2, 3 or 4 weeks, we are not going to be able to get to the end of the fiscal year and have our work completed. We promised the leadership on both sides of the aisle that we would complete our work expeditiously, and we are well on

target to do that. Any further delay in the budget process takes time away from the appropriations process, and, Mr. Chairman, time is not on our side, as you can see from this calendar.

So rather than finding ways to extend the length of the budget process, we should be trying to find ways to reduce the time of the budget process, to give more time for the Committee on Appropriations to deal with the 13 appropriations bills in subcommittee, in full committee, on the House floor and in conference committee with the other body.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I often quote my friend Archie the cockroach, and Archie said once, "Did you ever notice when a politician does get an idea, he gets it all wrong?" I think that can be said of the remedy that is being proposed for the budget process problems.

But Archie also said something else that I think is useful in this context. He said, "Man always fails because he is not honest enough to succeed. There are not enough men continuously on the square with themselves and with other men. The system of government does not matter so much. The thing that matters so much is what men do with any kind of system they happen to have."

That would be my message with respect to the budget resolution. Whether we get our work done on time depends on how serious we are, it depends on how political both sides of the aisle are, and it depends on what determination we have to compromise.

The problem with this proposition which is being set up today is that if a President does not want to compromise with the Congress on a budget, he can delay his approval of the initial budget resolution forever before he signs it. And then after he signs it, he can delay action on every appropriation bill again, and it strings you out forever. I would say to my conservative friends here, I do not think that is the result that you want, but that is the result you are going to get if this proposition passes.

I would also say that every authorizing committee needs to understand that they will be out of business if this proposition passes, because Senate authorizing chairs who have not been able to have their way with House authorizers, when the budget resolution goes to the Senate they will say (because they operate in a body that has to run on unanimous consent so that any one Member can throw a monkey wrench into the gears) so every authorizing Chair will be able to say, "Mr. Leader, if you don't put my authorizing bill in here, if you don't put my banking bill in, if you don't put my farm bill in, if you don't put my interior bill in, I 'ain't' going to vote for your budget resolution."

That means that every House authorizing committee will be dealing with a Senate authorizing committee in a

budget summit situation where they get buried in larger issues, and that is not the way this Congress is supposed to run.

The reason this Congress survives as a vibrant institution is because of each of our individual expertise which we apply to the areas that we work with in our committees. I urge you not to destroy that by putting the President in the middle of it all.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, just following up a bit on what the gentleman from Wisconsin (Mr. OBEY) suggested, what is eventually going to make us successful in the way we budget, in the way we appropriate, in the way that we oversee administration, is the willingness of the Members of Congress, of the House and the Senate, to be more diligent, to have some guts, to have some intestinal fortitude, to make sure we are doing the right thing to best of our ability. Whether you have a 1-year budget or a 2-year budget, whether you have the President sign on to something early on or later on, if Congress wants to be, excuse the expression, lazy and shift more power to the administration, we are going to lose what made this republic great in the first place. Our forefathers, when they wrote this Constitution, gave us a powerful legislative branch and a less powerful executive branch. Biennial budgeting puts this at risk and may diminish us in terms of our effectiveness as a democracy and a republic.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would just urge the Members to pay very close attention to the debate today. We are not talking about just a run-of-the-mill piece of legislation. We are talking about a decision that this House would have to live with for a long, long time in policy and procedure on some of the most important things that we do.

Mr. Chairman, of all the legislation we consider, the bills that really have to pass are appropriations bills. So let us be careful that we do not create some procedure or way to conduct a budget process, an appropriations process, that cannot work, that results in longer delays than under the current budget process.

I just ask Members to be very careful in how they listen to the debate and how they choose to vote on some of the amendments and on the final package, whatever condition that final package is when we go to a final vote.

The CHAIRMAN. The time allocated to the Committee on Appropriations having expired, it is now in order to conduct the debate on the time assigned to the Committee on Rules.

The gentleman from Florida (Mr. GOSS) and the gentleman from Massa-

chusetts (Mr. MOAKLEY) each will control 15 minutes.

The Chair recognizes the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to focus my time on a couple of the rules changes in H.R. 853 that are designed to increase accountability. We think that is a reform. Accountability in Federal spending we think is something that most taxpayers feel we can do better about.

Not surprisingly, some the reforms have been demagogued by opponents of accountability, in my view fostering unwarranted anxiety among some of our Nation's students, perhaps, and some of our veterans and some of our senior citizens, if they have not gotten the full understanding of what is actually in front of us. There is no need to worry. We are advocating good oversight and advocating more accountability, and I think all of those groups, in fact, all Americans, favor those types of accomplishments here.

Currently our rules state you cannot appropriate money unless a program has been authorized first. That is the normal order. Despite this rule, however, in FY 2000 we appropriated \$120 billion in taxpayer money to 137 programs that lack authorization. Now, that is just by our count. Probably somebody else could find more unauthorized programs, unauthorized programs that were funded in the appropriations process.

To encourage committees to do a better job, we think that H.R. 853 adds a requirement that they provide specific timetables for authorization of those programs under their jurisdiction, and we have picked a 10-year time period, thinking that is a very fair chunk of time. While we still will be able to waive the rule and no program will be punished, as is the situation now, we think that providing some added sunshine in a 10-year period with oversight is going to give us greater accountability, and it certainly is going to create an incentive for more accountability and for the authorizers to do their jobs.

Another rule changed would simply require that any new programs have a fixed year authorization. In our view, it makes sense that Congress should take a look at new programs it creates. We do not get it right every time the first time it turns out, and so maybe making a requirement that if we have a new program every 10 years or so, we ought to take a look at it and see if it is working and doing what we actually thought it was supposed to do.

But, be clear, no matter what, the school lunches are still going to be served; we are still going to have senior prescriptions; we are still going to have our veterans services, and everybody getting their benefits. It is all going to happen. This process is not going to change that. There may be votes about policy change or appropriations

amounts, but the process is not going to take away anything from anybody, and, hopefully, will give benefits to people that they lack now in terms of greater accountability and oversight.

I think to argue otherwise indicates either a lack of understanding about how things really work here, or, worse, a desire perhaps to exploit anxieties for partisan reasons to some of our most vulnerable Americans. In either way, that is wrong, not acceptable, and not part of the spirit of the good substance we are trying to accomplish in this legislation.

I encourage all Members to read the details of H.R. 853 before voting later this evening. It is a good bipartisan bill that promises nothing more than a better framework within to make our budgetary decisions. We have the joint budget resolution, we have the emergency rainy day fund, baseline budgeting reform, budgeting for unfunded liabilities, the Byrd rule reform, increased authorization oversight requirements, a lot of things we talk a lot about here. Well, we have brought them to the floor for debate, we are going to debate them under the rule and have a chance to vote them up or down.

On top of that, there are several other issues that we did not include in the bill because we knew they were controversial, but we know that they will be debated in the amendment process, or we assume they will. I think of the lockbox, the continuing resolution and those types of things, we will be able to debate those too. So we will have some accountability on where we really stand when we talk about reform of our process here. I think that is a good outcome, and I think certainly worth our time.

Mr. Chairman, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill really hides an inability to govern behind procedural changes, and I urge my colleagues to oppose it. This bill changes our current budget resolution from a concurrent resolution to a joint resolution. The difference between the two is a concurrent resolution is created by Congress to guide the way through a budget process, whereas a joint resolution, on the other hand, is signed by the President and becomes law.

□ 1545

Because it must be agreed upon by both the Congress and the President, a joint resolution necessarily takes much longer than a concurrent resolution.

Mr. Chairman, our budget process is already slow enough. Under this bill's proposed joint resolution, the Committee on Appropriations cannot begin their work until a budget resolution is worked out and that, Mr. Chairman, as pointed out by the gentleman from Florida (Mr. YOUNG), could take an awful long time.

If my Republican colleagues had a history of finishing the appropriation bills well before October 1, this proposal would not seem quite as ridiculous, but as it stands now the history leaves a bit to be desired.

In the 104th Congress, my Republican colleagues, led by Speaker Gingrich, refused to compromise and failed to enact the 13 appropriation bills on time, and as a result they shut down the Federal Government for a period of 28 days.

In the 105th Congress, my Republican colleagues compromised on everything and passed a bloated omnibus bill that still has people shaking their heads.

Last year, my Republican colleagues could not reach agreement amongst themselves and as a result they failed to pass a budget resolution for the first time since the Budget Act was enacted back in 1974.

This year, my Republican colleagues have already given up on keeping spending below their caps and at some point, Mr. Chairman, Congress must summons the will to make the budget process work. It is not the fault of the Budget Act that we cannot fund everything we would like to fund and still reduce the deficit. Congress must make that tough decision, and there is just no way around it.

Another way my colleagues are hoping to avoid budget decisions is by making them far in advance. My good friend, my chairman, will offer an amendment to change our system to a biennial system. The biennial system will cover a much longer period of time and therefore will need to be debated for even a longer period of time.

It eliminates one year of Committee on Appropriations review. It tightens the reins on executive branch officials. Furthermore, Mr. Chairman, budget predictions are notoriously inaccurate. If we limit ourselves to making budget decisions every other year, our projections will be even further off the mark.

It is a radical change from our current system and if my colleagues are determined to make these changes, I would urge them to proceed slowly.

Mr. Chairman, I urge my colleagues to oppose this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. GOSS. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. LINDER), the distinguished chairman of the Subcommittee on Rules and Organization of the House of the Committee on Rules.

Mr. LINDER. Mr. Chairman, I rise in strong support of the Comprehensive Budget Process Reform Act and I want to congratulate my colleagues on the Committee on Rules, the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DREIER) for their commitment to these reforms and specifically their efforts to craft the amendment to establish a 2-year budgeting timetable.

The Comprehensive Budget Process Reform Act is an important institu-

tional reform that will strengthen the enforcement of budgetary controls, enhance accountability for Federal spending, set aside funds in the budget for emergencies and alleviate the tendency toward higher spending.

Specifically, I want to comment on the biennial budgeting amendment that will create a 2-year budget cycle. Before acting on these historic budget reforms, the Committee on Rules held two days of hearings on budget process reform and an additional 3 days of comprehensive hearings focused solely on biennial budgeting. Over and over again, we heard testimony that not only would biennial budgeting not diminish the role of Congress in the budget process, but that it would actually improve legislative branch management of Federal spending.

For example, Dan Crippen, Director of the Congressional Budget Office, stated that "It seems unlikely that agencies would be less responsive to the Congress simply because they would be requesting regular appropriations every other year. Also, a biennial budget cycle by setting aside time for Congressional action on oversight and authorizing legislation might relieve the appropriations process of time consuming debates on substantive policy issues which can actually improve Congressional control of spending."

Congress will continue to decide, down to the account level, the exact amount of spending in every appropriation bill just as is done under current law. In fact, biennial budgeting may enhance Congress' control over the budget since the process gives legislators an increased opportunity to review existing policies and expenditures.

On the topic of increased opportunities to review programs, we have taken testimony in the Committee on Rules and in my subcommittee on the need to dramatically increase what is clearly a priority responsibility of ours: The issue of programmatic oversight. In addition to saving time and resources, I strongly believe that this bipartisan, biennial reform proposal will improve oversight and management of Federal spending.

Specifically, the Dreier-Luther-Regula-Hall amendment will permit committees to concentrate on budget and appropriations in the first session, and authorization and oversight in the second session. The 1993 Joint Committee on the Organization of Congress, led by our former colleague Lee Hamilton and the gentleman from California (Mr. DREIER), chairman of the Committee on Rules, recognize that the current budget system is not working effectively and recommended biennial budgeting as a key reform.

In hearings of the Committee on Rules in March, OMB Director Jack Lew stated that "The primary potential benefit from biennial budgeting is that by concentrating budget decisions in the first year of each 2-year period, time would be freed up in the second year that could be redirected to man-

agement, long-range planning and oversight."

The bipartisan biennial budget amendment will also put the requirements of the Government Performance and Results Act on a logical timetable in conjunction with the development of budgets every 2 years.

Under the new timetable, the GPRA reporting requirements would come at the most optimal time of the budget process to provide committees with the opportunity to utilize the performance information. As a result, we will deliver more efficient services to the American people in the most effective way.

Under the biennial timetable, the President's budget will be submitted to Congress with biennial government-wide performance plans and reports and agencies will submit separate biennial performance plans. The process will effectively give authorizing committees the opportunity to include their views of the GPRA plans and reports as parts of the views they submit to the Committee on the Budget.

Utilizing GPRA in this manner will improve performance by letting us examine the program structures that Congress has put into place to achieve better results for the American people.

It appears clear that the Federal Government is too often preoccupied with budget matters and has limited time to manage and oversee Federal programs or concentrate on long-term planning. In an effort to streamline the budget process and enhance Congressional oversight of Federal programs, I urge strong support for the biennial budgeting amendment and final passage of this historic institutional reform.

Mr. MOAKLEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Chairman, this afternoon we are debating budget reform legislation. I do not think there is a Member of this Chamber that has not been embarrassed by the performance of the House of Representatives and the Senate in the last 5 years in the handling of the budget. We have had massive agreements with the White House, late in the night, late in the session, thousands of pages. We are being asked to vote on things that we have not had an opportunity to analyze. It is an embarrassment to the institution.

We recognize that we must reform the way we do business, and, yes, it could be that if we acted in a much more expeditious fashion earlier under the current budget framework we would not have these problems, but unfortunately it does not seem to be within our power to do that.

I also know that it is tempting to blame the other side of the aisle, to say that therein lies the problem, and assume that on our side of the aisle it

would not be a difficulty if we were only in the majority.

Well, I think that we are deluding ourselves. Certainly part of the problem that we face in enacting budgets on a timely basis, in handling the appropriations bills on a timely basis, is attributable to human nature and the difficulty of making decisions and the need to bring things to closure in the heat of the final moments of a session, but this piece of legislation that we are considering today is an effort to move us towards an improved process. It is an experiment admittedly, and like all other experiments there are risks in trying it, but I think that when we recognize the enormity of the problems that we have had and the potential for improvement, it is worth taking that risk.

We talk about the powers of Congress. Now we are comprising the powers of Congress, the prerogatives of Congress, giving more power to the White House, the executive branch. I submit there is nothing that compromises Congress' power in the long-term than the embarrassment of not timely dispatching our affairs.

We need to make progress, and whether or not this would be progress would remain to be seen, but I submit it is worth taking the chance, and therein lies the debate over whether it should be a joint resolution or whether we should continue with the concurrent resolution such as we have had.

There are many other things in this legislation that go beyond the joint resolution issue and the role of the President earlier in the process. I urge my colleagues to recognize that the way that this legislation deals with emergency spending, the way it deals with emergency spending, the way that it deals with accrual accounting, the way that it deals with the baseline and the so-called Byrd rule and other issues, represents a very dramatic and significant improvement over the current budget process.

This bill has been a bipartisan bill in that it was developed by a bipartisan subcommittee of the Committee on the Budget and this ought to have bipartisan support this evening. It ought to be approved.

Mr. MOAKLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Chairman, let me just say that maybe we ought to all take a good close look at our Constitution and the makeup of the United States House of Representatives. We are each elected every 2 years for one session of the Congress. The people who wrote the Constitution and drafted this government that we have, which admittedly is the best government mankind has

ever known, said that we would be elected for one session of the Congress. It also says we will have an organizational session and we will elect our leadership and that we will establish our rules.

Each session of the Congress gives the Members of that Congress the authority to set their own rules. If they want biennial budgeting, there is nothing from prohibiting them from establishing a rule in the next session of the Congress, including those Members of the next session of the Congress, to have biennial budgeting for that one session of the Congress. They establish their own rules at each session of the Congress, and what we do here today with this underlying bill is to say that we are going to hamstring future sessions of the Congress. We are going to tell the Members of the next session of Congress, which will convene in January, that they do not have a sufficient intellect level to establish their own rules.

Instead, we are going to say that this session of the Congress is the more brilliant than any succeeding session and, therefore, they must obey the rules that we think are best for them.

This is a wrong Constitutional area that we are debating, and we should vote this issue down unanimously.

Mr. GOSS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the Committee on Appropriations Subcommittee of the Interior.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I thank the gentleman from Florida (Mr. GOSS) for yielding me this time.

Mr. Chairman, I have been a long-time advocate of 2-year budgeting as a management tool. We are the directors of the largest corporation in the world today. We collect taxes and we deliver services.

□ 1600

The challenge to all of us is to deliver these services in the most efficient way, because the more efficient we can be in our distribution of services, the less we have to collect in taxes.

I think we need to think about how we can manage these resources in the most effective way. Two-year budgeting provides that kind of opportunity. Through the first year, we would establish the appropriation for a 2-year budget cycle. I might say, I served in the Ohio State legislature. We did it that way in Ohio and it worked very effectively, and many other States operate on a 2-year budget.

The second year would be devoted to oversight. In our subcommittee, we have had over 25 oversight sessions over the last several years. We have discovered that in so doing, we have found ways in which we can more effi-

ciently write our bills to ensure that the money is used wisely and produces the greatest benefit to the people of this Nation.

I think also another advantage of 2-year budgeting is that we have time to do planning. Too often I find that we are so consumed, we no sooner finish one budget than we start on another one. We do not have time to think about how we can plan effectively.

Just using the Subcommittee on the Interior, for example, I think we need to think about how we can manage the resources that will leave a legacy that will be valuable to the people of this Nation 50 or 100 years from now, because what kind of a legacy they will inherit, what kind of parks and forests and fish and wildlife, and the Bureau of Land Management, the Smithsonian, the Kennedy Center, the National Gallery, what they will be like 50 years from now is being decided today.

Therefore, we need time to do oversight, we need time to do planning, to ensure that we get the best possible management of the resources that come our way as a subcommittee.

Secondly, I think so much time is devoted to establishing budgets that we do not get the time we need to think about the ways in which we can be more effective.

The other advantage I see is that the people that manage these enterprises, the superintendents of parks, the directors of the various agencies, could plan more efficiently in the purchase of products, simple things like gasoline and food and so on, if they could contract on a 2-year basis, if they could manage the resources that they are provided under our appropriations process in a way that would be most efficient in the use of these materials. A 2-year budget would give managers an opportunity to use their time, their resources in a more effective way.

I suspect that most industries have longer than a 2-year budget cycle in terms of managing the resources that they have to produce products for the marketplace. I think the previous speaker, the gentleman from Alabama (Mr. CALLAHAN) has a point. Perhaps we ought to try it. But I believe, based on the experience that our States have had with 2-year budgeting, that it is an effective tool in terms of management of the resources available.

I believe we should certainly try this, because as government and life gets more complicated, it becomes more important than ever that we have time for oversight, that we have time to visit facilities. We have found in our subcommittee if we can get out and look at some of our facilities, if we have time to do that, that it helps us a great deal in making the decisions that will provide a legacy for future generations that we can all take pride in.

Certainly, we are elected by the people, as the previous speaker said, to make policy decisions. That is the role of the Members of this body. That is the separation of powers.

We constitutionally have a responsibility for policy, and the executive branch has the responsibility for executing that policy. To do it well, I believe a 2-year budget cycle would be very constructive.

Mr. Chairman, I rise in support of the two-year budget amendment that we will consider later today. I consider two-year budgeting as a management tool.

As Members of Congress, we are the directors of the largest U.S. enterprise—namely the U.S. Government. We can no longer view the federal government as just a provider of services. In today's world—with increasing populations and increasing needs—we need to approach the federal budget in a more business-like manner. We need to determine how we can manage resources and provide services to the American public in the most efficient way within our budget constraints.

I believe that two-year budgets would provide us with a mechanism to budget more efficiently and to provide more oversight over federal spending. In the first year we would appropriate funds. The second year would be devoted to oversight and planning for the next budget cycle.

A two-year cycle would reduce significantly the number of repetitive votes that Congress takes on budget issues every year. It would allow more time for oversight hearings.

Since becoming Chairman of the Interior Subcommittee, I have chaired more than 25 oversight hearings to closely examine the more than 30 agencies funded in the bill.

These hearings have allowed Members of the Subcommittee to explore management reforms within these agencies that encourage the agencies and programs to be run more efficiently. A two-year budget would allow for more oversight and follow-up to ensure that reforms are fully implemented.

Furthermore, I believe a two-year budget process would allow agencies to be more effective. It would allow program managers and agency heads to do their planning on a two-year cycle.

As a practical matter, they could contract for supplies for a two-year period instead of just one. They wouldn't spend as much time putting together a budget every year and preparing the huge budget justifications that are sent to Congress every year.

A two-year cycle would give agency managers more time to engage in long-term planning and in implementing management reforms.

Historically, we have not viewed the federal government as a management challenge. I believe that it is time to do so. A two-year cycle would allow the time necessary to explore and implement positive management policies for the federal government. I urge you to support the two-year budget amendment.

Mr. MOAKLEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I stand to address the Congress and ask them to vote no on H.R. 853 because, number one, it weakens the power of the authorizing committees. It weakens the power and the utilization of the Committee on Appropriations. It weakens the power of each Member of Congress.

With that diminution, I ask each Member to think about why should we change this process. There is absolutely nothing wrong with the process that we use in budgeting now. It is not the process, it is those of us who administer this process, where we put in many times a lot of partisan wrangling and we put in a lot of intramural arguments. Whatever we put into it to make the process lasts too long. That is what is wrong.

If we were to take this process seriously and use it for the time appointed, then we would notice that the budgeting process would end up as we wanted it to.

I want to remind this Congress, I stood on the floor of Congress and spoke against it the last time we gave power to the President in determining line item vetoes. I was not shouted down, but I was voted down.

Here we go again, now, giving power to the President for something each of us was elected to do. That was to make solid decisions in a time certain for the budgetary process.

I have lived through this biennial budgeting situation in the State of Florida. It did not work there and it will not work here. Sooner or later, we would just become a Congress of supplemental kinds of bills that would come up when there is something that we need to do something quickly on that we had not thought about.

I want to tell the Members that there will be things that come up because of the economic conditions and other conditions that happen in this great country of ours.

Mr. Chairman, many of the things we have heard about the biennial budget will not happen if we properly do our jobs and think timely and decisively in expediting it.

Mr. MOAKLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, the gentleman from Alabama made a point which I think bears repeating. Every day we recognize the fact that Congress cannot bind future Congresses in terms of the action that they will take. But if we pass this legislation today, we are enabling future presidents to bind future Congresses, because if we pass this proposal and discover, as we most assuredly will, that it does not work the way we intended, we will not be able to change it without the permission of the President of the United States. That is not a position which any independent legislative body should be in.

Secondly, on 2-year budgets, there is a vast difference between multiyear planning and multiyear budgeting. I favor long-term planning. I favor 5- and 10-year planning. But when we go to a 2-year budget, we put the House at a huge disadvantage vis-a-vis the Senate.

In the House, we have germaneness rules, so if we pass an Interior supple-

mental through the place, no one can attach an education item or an agricultural item to it. We stick to the subject. But in a world of 2-year budgeting, we will have constant supplementals. When supplementals move through this body and move to the Senate, we will have individual Senators free to add any item they want to any supplemental that moves through there. That means a giant loss of control of spending and it means a giant transfer of powers and prerogatives to the Senate.

Most perniciously, I believe it ruins our ability to keep agencies on a short leash. The healthiest thing that occurs in this town is in the annual appropriation process, when senior program managers discover that they are not ordained by God to follow policies of their own making. They have to answer to the Congress. The problem is that if we put them on a 2-year leash rather than a 1-year leash, it will be very difficult to get them to follow congressional intent in legislation that we pass.

People will say, "oh, well, don't worry about it; as long as they need supplementals, they will need the support of the Congress". But supplementals are different than regular appropriation bills. Supplementals add money only to programs. They do not deal with personnel levels, they do not deal with agency size. That is where we really have control over agencies, and we should not give that control up.

Mr. MOAKLEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is really difficult to believe the majority is serious about reaching agreement on the budget early with a Democratic president. Given the history and the failure to even seek consensus with the Democratic colleagues in the House on a budget resolution, it is very hard to believe, why would they give up the opportunity to clarify their differences with us? Given their history, my guess is that the majority would rather send the President a resolution he has to veto. That slows up the process. It does not help.

Mr. Chairman, we agree the process has not run well lately, but what makes them propose what they propose does not help. I think it will make things worse. I now urge a no vote on the bill.

Mr. Chairman, I yield back the balance of my time.

Mr. GOSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I recall very well Members feeling some frustration, to say the least, at the end of the budget cycle for the past few years, thinking, gosh, we need to do better on this. Why does not the Committee on Rules and the Committee on the Budget and the people responsible get together and give us some choices?

We filed a bill at the end of the last session just because we listened. We

went through a couple of years of hard work, a lot of effort, to focus on issues that Members wanted to debate. We filed that bill. This year we have worked from that bill, taken the controversial issues out, brought them forward, and left the controversial issues available for amendment, and in addition, brought forward some other amendments that we know will have a lot of Member appeal, such as the biennial budget process that my good friend, the gentleman from California (Mr. DREIER) of the Committee on Rules has championed so long and ardently.

We think we have provided some good choices out here for debate. I think that any effort to get away from the chaos at the end of the budget year is right.

Our good friend, the gentleman from Wisconsin (Mr. OBEY) has gotten up and said that bad things can happen. Yes, bad things can happen any time. I think the idea of getting together early with the President at the beginning of the session and working out an arrangement is a very good idea, but if it does not work, we have a fallback. The fallback is where we are now, so nobody loses power. We do not have these dire consequences that I keep hearing about.

I think it is also true that if the other body decides that they wish to get off the subject of the budget matter, that there are provisions in this for a self-destruct mechanism, so that the dangers are not as great as they have been outlined.

I think these are worthwhile changes. They deserve our careful attention during the debate, and I hope we will see strong support for good process reform.

Mr. OBERSTAR. Mr. Chairman, I rise in strong opposition to H.R. 853, the Comprehensive Budget Reform Act.

JOINT RESOLUTION

H.R. 853 changes the current non-binding concurrent resolution to a joint budget resolution that would be signed by the President and have the force of law. Such a process would weaken the role of Congress (particularly the House of Representatives), authorizing committees, and rank-and-file Members.

We know this from history—think back to the major budget agreements of the past decade, beginning with the 1990 Andrews Air Force Base budget summit during the Bush Administration. These agreements were negotiated by the House and Senate Leaderships and the President, without the participation of authorizing committees or rank-and-file Members. In practice, creating a budget resolution with the force of law means we will have these budget summits each and every year. Budget targets and committee allocations would be negotiated by the Budget Committees, the House and Senate Leaderships, and the President, without the participation of authorizing committees or rank-and-file Members. Most Members would be shut out of the process.

In addition to the budget being negotiated by the House and Senate Leaderships and the President, the bill eliminates Members' ability

to alter this Leadership-negotiated package. Members would no longer have the ability to offer amendments to either the reconciliation instructions or the functional allocations assumed by the joint budget resolution because these times would now only be included in the report accompanying the law.

Finally, I am extremely concerned that once we head down the road of a statute implementing budget policy, the Budget Committees, the House and Senate Leaderships, and the President will use this must-pass legislative vehicle to legislate their agendas. Look at the tens and sometimes hundreds of legislative riders included in the Omnibus Appropriations Acts of the last several years—the last thing this Body needs is more Leadership-driven, must-pass legislation.

Given the experiences of past budget summits, it is unlikely that this process will include authorizing committees, including those Members with the most specific issue expertise, or rank-and-file Members. We will simply be urged: "Don't break the deal"—a deal in which almost all of us will have had no input. I recall that three years ago this week, the House considered the 1997 Balanced Budget Agreement negotiated by the House and Senate Leadership and the President. The Gentleman from Pennsylvania, Mr. SHUSTER, and I offered an amendment to increase highway and transit infrastructure investment, adjusting the deal by one-third of one percent—one-third of one percent. "A deal is a deal," intoned our colleagues. "Do not break the deal," said a panicked White House. "Stick to the deal," said the Budget Committee. As I said then, "Who are a part of this deal? Not me, and not many in this Chamber. We did not have much to say about the deal, so why are we being asked to stick with it?" We lost that vote by two votes and it made TEA 21 impossible in 1997. Now, the proponents of this bill want us to have that debate each year. Moreover, by eliminating the functional categories from the budget resolution, they want to even take away our ability to offer amendments to alter their Leadership-negotiated package.

EFFECT ON TRANSPORTATION COMMITTEE PROGRAMS

I also rise in opposition to H.R. 853 because I am concerned about the impact of this bill on transportation trust funds. I believe that this bill will undermine the enormous progress we have made in infrastructure investment with the Transportation Equity Act for the 21st Century (TEA 21) and the Aviation Investment and Reform Act for the 21st Century (AIR 21), and will make it more difficult to reauthorize these programs in the future.

H.R. 853 does not acknowledge the important budget reforms contained in TEA 21 and AIR 21—including the reform that transportation revenues must be used for transportation purposes. Rather than updating the budget process to reflect a link between transportation trust fund spending and transportation trust fund receipts—a budget process change that was mandated by the overwhelming majority of the House in TEA 21 and AIR 21—H.R. 853 merely strengthens the old budget process, which assumes that transportation trust fund revenues are no different from general revenues.

H.R. 853 would also shift power to entities that are institutionally opposed to the trust fund reforms that our Committee achieved in TEA 21 and AIR 21, and would effectively shut most Members and committees out of the

budget process. As a former Member of the Budget Committee (1987–1993) and a Member of this Body and the Transportation and Infrastructure Committee for 25 years, I know that the Budget Committee and the Office of Management and Budget have always opposed the trust fund reforms that the Transportation Committee has advocated and an overwhelming majority of this House have supported.

Not only does H.R. 853 fail to institutionalize the trust fund reforms enacted in TEA 21 and AIR 21, it assumes flat spending from transportation trust funds for purposes of calculating the budget surplus after TEA 21 and AIR 21 expire. This assumption is made despite the fact that transportation trust fund revenues will continue to increase each year as our economy and highway and air travel continue to grow. A flat-spending assumption would result in a return to the old days of trust fund surpluses being used for non-transportation purposes. If the link between trust fund revenues and trust fund spending is to be maintained, budget procedures and the assumptions for transportation spending must reflect the annual growth in trust fund revenues.

CONCLUSION

Do not be lulled into thinking that this bill simply changes a technical House procedure. This bill significantly alters the congressional budget process. The budget process is where we decide priorities for America's future. It is the process where, to a large degree, we decide what our values are, and put a price tag on them. It is a process in which all Members and all committees should play a role. H.R. 853 will shut Members out of that process.

I urge all Members to vote "no" on H.R. 853.

Mr. BENTSEN. Mr. Chairman, I rise in reluctant opposition to H.R. 853, the Comprehensive Budget Process Reform Act of 1999. I commend the gentleman from Iowa, Mr. NUSSLE and the gentleman from Maryland, Mr. CARDIN for their hard work, but in the end this bill is not yet ready for adoption.

My colleagues argue that this bill will fix the "broken" budget process. While this bill may correct some deficiencies in the current law, no bill is going to fix what is the real problem—the behavior of the members of this body and the Senate. For years following inclusion of pay-as-you-go rules and discretionary spending caps amendments to the Budget Act in 1990, the Budget Act had an effect on law rather than serving as a mere target. It was not until 1998 that the process fell apart when members on both sides of the aisle felt compelled to violate the caps by abusing the Emergency spending designation. In 1999, Congress did the same thing. The primary problem with the budget process lies not with the system or the end game, but rather Congress and the Administration. There were legitimate concerns, greater defense, education and agriculture spending demands weighed against other domestic priorities, but rather than honestly argue the needs to the American people and raise the caps, we chose to engage in budget subterfuge. That is not a flaw in the process so much as human nature.

While this bill includes some good reforms such as a tighter designation for emergency spending to stem abuse and bringing the use of accrual accounting to the federal budget process, it is flawed in converting the concurrent budget resolution to a joint resolution

signed into law by the President. This is intended to move the end game to the front of budget cycle but it is a little like moving the goal posts from the end of the field to the middle. The practical effect is to shift more power to the Executive branch at the expense of the Congress. As a result, the appropriations process will be delayed and the end game will be extended throughout most the year. Unintended by its proponents, this could result in greater, not less, politicization of the budget process.

Moreover, as a joint resolution, the budget resolution would be vulnerable to having certain other pieces of legislation the Congressional leadership favored attached. The drafters of H.R. 853 have inserted a weak provision aimed at preventing the budget resolution from becoming a major legislative vehicle but it cannot assure this body the budget resolution will be free from being taken hostage by an abortion amendment or, more likely, an amendment to raise discretionary spending caps or alter the pay-as-you-go rules to let projected budget surpluses be used to "pay for" large tax cuts.

With regard to the biennial budgeting amendment which Representative DRIER plans to offer, I believe it is unrealistic and unworkable. The GAO has cautioned against biennial budgeting and cites "difficulty in forecasting" as the major force behind an increasing number of states abandoning biennial budgeting, in favor of annual cycles. Under H.R. 853, agencies would have to begin to put together budgets for the second year of a two-year cycle at least 28 months before the year would start. Such long lead times will certainly result in decisions that become outdated. During the intervening period, there would inevitably be findings concerning the effectiveness of various programs and changes needed in those programs from GAO reports, Inspector Generals' reports, and research studies. Proponents of biennial budgeting assert that it will free up time for more oversight. They overlook the fact that a significant amount of oversight is conducted by the appropriations committees in the course of reviewing agency budget requests annually. But, I believe that if we adopt biennial budgeting, we will be creating new problems. We will be constructing a system that lacks flexibility to address GAO findings or developments in a program or substantial changes in our nation's economic conditions.

Mr. Chairman, while I oppose H.R. 853, I support its commitment to limit use of emergency spending outside the spending caps only for true emergencies. There can be little question that in recent years, the emergency supplemental appropriations process has been abused and loaded with billions of dollars of spending which do not meet the true test of an "emergency." We must, as a body, reign in emergency spending. H.R. 853 would create a reserve fund for emergencies and specifically defines "emergency" as "loss of life or property, or a threat to national security" and an "unanticipated" situation that is sudden, urgent, unforeseen and temporary.

Mr. Chairman, I will also oppose the Gekas Automatic Continuing Resolution Amendment to avoid a government shutdown. We debated this in the House Budget Committee last year. I opposed a "freeze" of appropriations in event of a budgetary stalemate because I believed it would give Congress and the Administration an out, as opposed to compelling that

the hard work of passing the budget and appropriations bills is done. Rather, I suggested that any automatic continuing resolution not be a disincentive to compromise. My amendment would have set the automatic continuing resolution at 75% of the previous year's appropriated level in order to fund essential functions, but low enough to spur the Congress and Administration into action.

Finally, Mr. Chairman, I will oppose the Ryan amendment to eliminate the on-budget surplus from the pay-as-you-go rules. While the intent of this amendment is to free up on-budget surpluses for tax cuts or new mandatory spending instead of being used for debt relief, its real impact would be to allow Congress to leverage tax cuts or new spending on the basis of long-term budget projections. And, if the projections are wrong, such tax cuts or spending would be ultimately backed by sequestration against Medicare, Medicaid or tax increases if the projections are wrong. This amendment is a redo of Gramm-Rudman-Hollings, allowing Congress to make long-term spending and tax commitments with uncertain offsets.

Accordingly, Mr. Chairman, I rise in opposition to H.R. 853. Rather than insure an expedited budget process, H.R. 853 will create new barriers to formulating a federal budget and interfere with effective oversight.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in opposition to H.R. 853, the Comprehensive Budget Process Reform Act. We may all agree that the current budget process does not run as smoothly as we may like; however, this bill does not adequately address the inefficiencies in the budget process. The problem with the budget process is that for the last three years, the Leadership has engaged in conduct that has hindered this process.

In 1998, we failed to adopt a budget resolution and for the last two years Congress approved budget resolutions that were difficult to implement. To work through these problems the Congress had to waive rules to circumvent the budget resolutions. This bill does nothing to address this issue.

H.R. 853 will significantly hamper our ability to agree on a budget by requiring a joint budget resolution. Requiring the President to enter the process early in the year by transforming the joint budget resolution into an omnibus budget law, while simultaneously curtailing the ability of the appropriations committees to press forward if a budget has not been agreed to by May 15, will delay rather than speed up our budget process.

Contemplate how much deliberation occurs between the House and the Senate on the budget resolution, just imagine how delayed this process will be with the interjection of the President. In the years where the President and Congress are in serious disagreement as to budget priorities, disagreements are likely to linger into the waning days of future legislative sessions.

The budget resolution would be transformed into "must pass" legislation that may likely entice the Leadership to attach bills they favor. This is true of provisions in this bill to change Congressional budget procedures that include measures to impose discretionary caps or actual appropriations, as well as provisions to impose caps on entitlement programs from responding to changes in unemployment, poverty, the health status of our nation, and other such programs.

The removal of functional levels and reconciliation instructions from the budget resolution to a budget committee report is unwise. Relying on an aggregate budget amount without debating the details of specific functions may result in significant budget cuts in discretionary spending without the opportunity for vigorous debate on the virtues of each budget request.

Some may argue that debating budget functions obscure the ability to debate a set aggregate amount. On the other hand, we need to analyze budget functions to make the aggregate number more meaningful in addressing the needs of the nation. My amendment sought to reinstate a process that ensures that the American people's needs are sufficiently addressed by the Congress during the budget process.

Finally, I do not support the Drier Biennial Budgeting Amendment because biennial budgeting and appropriating will not ease Congress's ability to meet deadlines, enact authorization provisions or engage in more meaningful oversight. Biennial budgeting will further complicate an already complicated process.

Biennial budgeting will not assist Congress pass budget or appropriations bills on time. No matter whether the fiscal year begin on July 1 or October 1, Congress often finishes its appropriations work approximately one month after an imposed deadline. The real concern with biennial budgeting is that appropriations' debates will fall into the second year, as Members become less willing to compromise.

In addition, budget projections change too quickly for biennial budgeting. The events of the nation and world change from year-to-year. It would be increasingly difficult for the Congressional Budget Office to project budgets for two years. The difficulty in forecasting for biennial budgets will likely create a need for supplemental appropriations. Thus, the impetus for biennial budgeting would diminish.

As Martin Luther King, Jr. once said, "Our nettlesome task is to discover how to organize our strength into compelling power." The Congress's task is to organize our best ideas on meaningful budget reform and not measures which will exacerbate the complexity of our nation's budget process. We can do better and we must do better.

Mr. SHAYS. Mr. Chairman, I strongly support H.R. 853, the Comprehensive Budget Process Reform Act. This bill represents the most fundamental revision of the Congressional budget process since 1974.

H.R. 853 contains a variety of critical reforms, including changing the Budget Resolution from a concurrent resolution to a joint resolution that would have to be presented to the president and therefore would have the force of law.

This would improve the budget process in two ways. First, it would force the president to play a formal role in the budget process, rather than only engaging in the final stages of the appropriations process.

Providing for formal executive participation through a joint resolution would avoid year-end scrambling to finance government programs. It would also encourage the president to submit a realistic budget because he will be compelled to defend it.

Second, a joint resolution would force interbranch agreement on aggregate spending levels prior to agreement on details. Currently,

since the president does not have to approve the Budget Resolution, gaining approval on the final spending measures presents a greater challenge.

Forcing an early agreement on the principles in the Resolution will make coming together on the details of budget bills much easier in the fall. Moreover, this bill is still sensitive to the likelihood of an earlier budget "train wreck" by enabling Congress to adopt a concurrent budget resolution under expedited procedures if the president vetoes the joint budget resolution.

In other words, H.R. 853 provides incentives for the president to sign an agreement on principles, but allows the process to move forward if he does not.

The bill also requires the president and Congress to set aside a reserve within the budget for emergencies. This reserve would be equivalent to the five year historical average of emergency spending. The reserve could only be used for emergencies that meet both of the following criteria: (1) funding for "loss of life or property, or a threat to national security" and (2) an "unanticipated situation."

This important provision will prevent supplemental appropriations bills that are stuffed with fraudulent "emergency" spending. Unfortunately such bills have often become vehicles for pork-barrel spending rather than ways to alleviate the suffering of Americans who have experienced genuine crises.

I would like to thank Congressman NUSSLE and other members of the House Budget Committee's bipartisan task force on the budget process for bringing this bill to the floor. I urge my colleagues to support it.

Mr. DINGELL. Mr. Chairman, certainly the budget process could benefit from useful progressive reform. However, the bill we are considering is neither useful nor progressive. It can properly be described as deform. As long as the majority lacks the political courage to set realistic spending caps, we will continue to see the abuse of the budget process that we have become accustomed to under Republican control of the Congress. Where more than \$34 billion, including the cost of the census, is declared an "emergency." These "emergencies" are nothing but an absolute circumvention of the budget process and a parliamentary exercise to evade hard choices.

Let history be our guide and let us examine how the budget process has operated under Republican control.

I would observe that last year Congress failed to even adopt a budget resolution for the first time since the Budget Act was signed into law. Why, because the budget process was broken? Hardly. Because the Republican majority in Congress could not agree with itself on a budget resolution. Rather than negotiate a bipartisan document, the majority chose not to draft a budget at all. This unprecedented failure is not an indictment of the budget process but rather of the majority's incompetence.

In the 104th Congress, under the leadership of then-Speaker Newt Gingrich, the Republican majority could not agree with the President on the budget, failed to pass the regular 13 appropriations bills on time, and proceeded to shut down the government for 28 days. Why, because the budget process was broken? Hardly. Because the Republican majority was unwilling to compromise and negotiate in good faith with the President. Like little chil-

dren, the majority took their toys and went home. This was not a result of a flawed budget process but of flawed leadership in the Congress.

The Republican majority, having learned their harsh lesson from the rebuke of the public for such fiscal recklessness, reversed course in the 105th Congress and gave in on everything. The result was an unseemly, bloated omnibus bill that contained everything—including the kitchen sink. Why, because the budget process was broken? Hardly. It was another example of the irresponsible manner in which the majority runs the Congress and once again demonstrated their remarkable inability to govern.

H.R. 853 continues in this rich tradition of flawed proposals and failed ideas. It should rightly and properly be relegated to the scrap heap, to reside next to the Contract with America, where it will, with good fortune and the good Lord's mercy, rust in peace. I urge my colleagues to defeat this bill so we can move on to the people's business.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 4397 shall be considered as an original bill for the purpose of amendment under the 5-minute rule, and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Comprehensive Budget Process Reform Act of 2000".

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. Effective date.
- Sec. 4. Declaration of purposes for the Budget Act.

TITLE I—BUDGET WITH FORCE OF LAW

- Sec. 101. Purposes.
- Sec. 102. The timetable.
- Sec. 103. Annual joint resolutions on the budget.
- Sec. 104. Budget required before spending bills may be considered; fallback procedures if President vetoes joint budget resolution.
- Sec. 105. Conforming amendments to effectuate joint resolutions on the budget.

TITLE II—RESERVE FUND FOR EMERGENCIES

- Sec. 201. Purpose.
- Sec. 202. Repeal of adjustments for emergencies.
- Sec. 203. OMB emergency criteria.
- Sec. 204. Development of guidelines for application of emergency definition.
- Sec. 205. Reserve fund for emergencies in President's budget.
- Sec. 206. Adjustments and reserve fund for emergencies in joint budget resolutions.
- Sec. 207. Up-to-date tabulations.
- Sec. 208. Prohibition on amendments to emergency reserve fund.
- Sec. 209. Effective date.

TITLE III—ENFORCEMENT OF BUDGETARY DECISIONS

- Sec. 301. Purposes.

Subtitle A—Application of Points of Order to Unreported Legislation

Sec. 311. Application of Budget Act points of order to unreported legislation.

Subtitle B—Compliance With Budget Resolution

Sec. 321. Budget compliance statements.

Subtitle C—Justification for Budget Act Waivers

Sec. 331. Justification for Budget Act waivers in the House of Representatives.

Subtitle D—CBO Scoring of Conference Reports

Sec. 341. CBO scoring of conference reports.

TITLE IV—ACCOUNTABILITY FOR FEDERAL SPENDING

Sec. 401. Purposes.

Subtitle A—Limitations on Direct Spending

Sec. 411. Fixed-year authorizations required for new programs.

Sec. 412. Amendments to subject new direct spending to annual appropriations.

Subtitle B—Enhanced Congressional Oversight Responsibilities

Sec. 421. Ten-year congressional review requirement of permanent budget authority.

Sec. 422. Justifications of direct spending.

Sec. 423. Survey of activity reports of House committees.

Sec. 424. Continuing study of additional budget process reforms.

Sec. 425. GAO reports.

Subtitle C—Strengthened Accountability

Sec. 431. Ten-year CBO estimates.

Sec. 432. Repeal of rule XXIII of the Rules of the House of Representatives.

TITLE V—BUDGETING FOR UNFUNDED LIABILITIES AND OTHER LONG-TERM OBLIGATIONS

Sec. 501. Purposes.

Subtitle A—Budgetary Treatment of Federal Insurance Programs

Sec. 511. Federal insurance programs.

Subtitle B—Reports on Long-Term Budgetary Trends

Sec. 521. Reports on long-term budgetary trends.

TITLE VI—BASELINE AND BYRD RULE

Sec. 601. Purpose.

Subtitle A—The Baseline

Sec. 611. The President's budget.

Sec. 612. The congressional budget.

Sec. 613. Congressional Budget Office reports to committees.

Sec. 614. Outyear assumptions for discretionary spending.

Subtitle B—The Byrd Rule

Sec. 621. Limitation on Byrd rule.

SEC. 2. PURPOSE.

The purposes of this Act are to—

- (1) give the budget the force of law;
- (2) budget for emergencies;
- (3) strengthen enforcement of budgetary decisions;
- (4) increase accountability for Federal spending;
- (5) display the unfunded liabilities of Federal insurance programs; and
- (6) mitigate the bias in the budget process toward higher spending.

SEC. 3. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall become effective on the date of enactment of this Act and shall apply with respect to fiscal years beginning after September 30, 2001.

SEC. 4. DECLARATION OF PURPOSES FOR THE BUDGET ACT.

Paragraphs (1) and (2) of section 2 of the Congressional Budget and Impoundment Control Act of 1974 are amended to read as follows:

“(1) to assure effective control over the budgetary process;

“(2) to facilitate the determination each year of the appropriate level of Federal revenues and expenditures by the Congress and the President;”.

TITLE I—BUDGET WITH FORCE OF LAW**SEC. 101. PURPOSES.**

The purposes of this title are to—

(1) focus initial budgetary deliberations on aggregate levels of Federal spending and taxation;

(2) encourage cooperation between Congress and the President in developing overall budgetary priorities; and

(3) reach budgetary decisions early in the legislative cycle.

SEC. 102. THE TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 is amended to read as follows:

“TIMETABLE

“SEC. 300. The timetable with respect to the congressional budget process for any fiscal year is as follows:

“On or before:	Action to be completed:
First Monday in February.	President submits his budget.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after President submits budget.	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports joint resolution on the budget.
April 15	Congress completes action on joint resolution on the budget.
June 10	House Appropriations Committee reports last annual appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on annual appropriation bills.
October 1	Fiscal year begins.”.

SEC. 103. ANNUAL JOINT RESOLUTIONS ON THE BUDGET.

(a) **CONTENT OF ANNUAL JOINT RESOLUTIONS ON THE BUDGET.**—Section 301(a) of the Congressional Budget Act of 1974 is amended as follows:

(1) Strike paragraph (4) and insert the following new paragraph:

“(4) subtotals of new budget authority and outlays for nondefense discretionary spending, defense discretionary spending, direct spending (excluding interest), and interest; and for fiscal years to which the amendments made by title II of the Comprehensive Budget Process Reform Act of 2000 apply, subtotals of new budget authority and outlays for emergencies;”.

(2) Strike the last sentence of such subsection.

(b) **ADDITIONAL MATTERS IN JOINT RESOLUTION.**—Section 301(b) of the Congressional Budget Act of 1974 is amended as follows:

(1) Strike paragraphs (2), (4), and (6) through (9).

(2) After paragraph (1), insert the following new paragraph:

“(2) if submitted by the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate to the Committee on the Budget of that House of Congress, amend section 3101 of title 31, United States Code, to change the statutory limit on the public debt;”.

(3) After paragraph (3), insert the following new paragraph:

“(4) require such other congressional procedures, relating to the budget, as may be appropriate to carry out the purposes of this Act;” and

(4) After paragraph (5), insert the following new paragraph:

“(6) set forth procedures in the Senate whereby committee allocations, aggregates, and other levels can be revised for legislation if that legislation would not increase the deficit, or would not increase the deficit when taken with other legislation enacted after the adoption of the resolution, for the first fiscal year or the total period of fiscal years covered by the resolution.”.

(c) **REQUIRED CONTENTS OF REPORT.**—Section 301(e)(2) of the Congressional Budget Act of 1974 is amended as follows:

(1) Redesignate subparagraphs (A), (B), (C), (D), (E), and (F) as subparagraphs (B), (C), (E), (F), (H), and (I), respectively.

(2) Before subparagraph (B) (as redesignated), insert the following new subparagraph:

“(A) new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to subsection (a)(1);”.

(3) In subparagraph (C) (as redesignated), strike “mandatory” and insert “direct spending”.

(4) After subparagraph (C) (as redesignated), insert the following new subparagraph:

“(D) a measure, as a percentage of gross domestic product, of total outlays, total Federal revenues, the surplus or deficit, and new outlays for nondefense discretionary spending, defense spending, and direct spending as set forth in such resolution;”.

(5) After subparagraph (F) (as redesignated), insert the following new subparagraph:

“(G) if the joint resolution on the budget includes any allocation to a committee (other than the Committee on Appropriations) of levels in excess of current law levels, a justification for not subjecting any program, project, or activity (for which the allocation is made) to annual discretionary appropriations;”.

(d) **ADDITIONAL CONTENTS OF REPORT.**—Section 301(e)(3) of the Congressional Budget Act of 1974 is amended as follows:

(1) Redesignate subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively, strike subparagraphs (C) and (D), and redesignate subparagraph (E) as subparagraph (D).

(2) Before subparagraph (B), insert the following new subparagraph:

“(A) reconciliation directives described in section 310;”.

(e) **PRESIDENT’S BUDGET SUBMISSION TO THE CONGRESS.**—(1) The first two sentences of section 1105(a) of title 31, United States Code, are amended to read as follows:

“On or after the first Monday in January but not later than the first Monday in February of each year the President shall submit a budget of the United States Government for the following fiscal year which shall set forth the following levels:

“(A) totals of new budget authority and outlays;

“(B) total Federal revenues and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;

“(C) the surplus or deficit in the budget;

“(D) subtotals of new budget authority and outlays for nondefense discretionary spending, defense discretionary spending, direct spending, and interest; and for fiscal years to which the amendments made by title II of

the Comprehensive Budget Process Reform Act of 2000 apply, subtotals of new budget authority and outlays for emergencies; and

“(E) the public debt.

Each budget submission shall include a budget message and summary and supporting information and, as a separately delineated statement, the levels required in the preceding sentence for at least each of the 9 ensuing fiscal years.”.

(2) The third sentence of section 1105(a) of title 31, United States Code, is amended by inserting “submission” after “budget”.

(f) **LIMITATION ON CONTENTS OF BUDGET RESOLUTIONS.**—Section 305 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(e) **LIMITATION ON CONTENTS.**—(1) A joint resolution on the budget and the report accompanying it may not—

“(A) appropriate or otherwise provide, impound, or rescind any new budget authority, increase any outlay, or increase or decrease any revenue (other than through reconciliation instructions);

“(B) directly (other than through reconciliation instructions) establish or change any program, project, or activity;

“(C) establish or change any limit or control over spending, outlays, receipts, or the surplus or deficit except those that are enforced through congressional rule making; or

“(D) amend any law except as provided by section 304 (permissible revisions of joint resolutions on the budget) or enact any provision of law that contains any matter not permitted in section 301(a) or (b).

“(2) No allocation under section 302(a) shall be construed as changing such discretionary spending limit.

“(3) It shall not be in order in the House of Representatives or in the Senate to consider any joint resolution on the budget or any amendment thereto or conference report thereon that contains any matter not permitted in section 301(a) or (b).

“(4) Any joint resolution on the budget or any amendment thereto or conference report thereon that contains any matter not permitted in section 301(a) or (b) shall not be treated in the House of Representatives or the Senate as a budget resolution under subsection (a) or (b) or as a conference report on a budget resolution under subsection (c) of this section.”.

SEC. 104. BUDGET REQUIRED BEFORE SPENDING BILLS MAY BE CONSIDERED; FALL-BACK PROCEDURES IF PRESIDENT VETOES JOINT BUDGET RESOLUTION.

(a) **AMENDMENTS TO SECTION 302.**—Section 302(a) of the Congressional Budget Act of 1974 is amended by striking paragraph (5).

(b) **AMENDMENTS TO SECTION 303 AND CONFORMING AMENDMENTS.**—(1) Section 303 of the Congressional Budget Act of 1974 is amended—

(A) in subsection (b), by striking paragraph (2), by inserting “or” at the end of paragraph (1), and by redesignating paragraph (3) as paragraph (2); and

(B) by striking its section heading and inserting the following new section heading: “CONSIDERATION OF BUDGET-RELATED LEGISLATION BEFORE BUDGET BECOMES LAW”.

(2) Section 302(g)(1) of the Congressional Budget Act of 1974 is amended by striking “and, after April 15, section 303(a)”.

(3) (A) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “303(a),” before “305(b)(2).”.

(B) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “303(a),” before “305(b)(2).”.

(c) **EXPEDITED PROCEDURES UPON VETO OF JOINT RESOLUTION ON THE BUDGET.**—(1) Title III of the Congressional Budget Act of 1974 is amended by adding after section 315 the following new section:

“EXPEDITED PROCEDURES UPON VETO OF JOINT RESOLUTION ON THE BUDGET

“SEC. 316. (a) SPECIAL RULE.—If the President vetoes a joint resolution on the budget for a fiscal year, the majority leader of the House of Representatives or Senate (or his designee) may introduce a concurrent resolution on the budget or joint resolution on the budget for such fiscal year. If the Committee on the Budget of either House fails to report such concurrent or joint resolution referred to it within five calendar days (excluding Saturdays, Sundays, or legal holidays except when that House of Congress is in session) after the date of such referral, the committee shall be automatically discharged from further consideration of such resolution and such resolution shall be placed on the appropriate calendar.

“(b) PROCEDURE IN THE HOUSE OF REPRESENTATIVES AND THE SENATE.—

“(1) Except as provided in paragraph (2), the provisions of section 305 for the consideration in the House of Representatives and in the Senate of joint resolutions on the budget and conference reports thereon shall also apply to the consideration of concurrent resolutions on the budget introduced under subsection (a) and conference reports thereon.

“(2) Debate in the Senate on any concurrent resolution on the budget or joint resolution on the budget introduced under subsection (a), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours and in the House such debate shall be limited to not more than 3 hours.

“(c) CONTENTS OF CONCURRENT RESOLUTIONS.—Any concurrent resolution on the budget introduced under subsection (a) shall be in compliance with section 301.

“(d) EFFECT OF CONCURRENT RESOLUTION ON THE BUDGET.—Notwithstanding any other provision of this title, whenever a concurrent resolution on the budget described in subsection (a) is agreed to, then the aggregates, allocations, and reconciliation directives (if any) contained in the report accompanying such concurrent resolution or in such concurrent resolution shall be considered to be the aggregates, allocations, and reconciliation directives for all purposes of sections 302, 303, and 311 for the applicable fiscal years and such concurrent resolution shall be deemed to be a joint resolution for all purposes of this title and the Rules of the House of Representatives and any reference to the date of enactment of a joint resolution on the budget shall be deemed to be a reference to the date agreed to when applied to such concurrent resolution.”

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following new item:

“Sec. 316. Expedited procedures upon veto of joint resolution on the budget.”

SEC. 105. CONFORMING AMENDMENTS TO EFFECTUATE JOINT RESOLUTIONS ON THE BUDGET.

(a) CONFORMING AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.—(1)(A) Sections 301, 302, 303, 305, 308, 310, 311, 312, 314, 405, and 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) are amended by striking “concurrent” each place it appears and by inserting “joint”.

(B)(i) Sections 302(d), 302(g), 308(a)(1)(A), and 310(d)(1) of the Congressional Budget Act of 1974 are amended by striking “most recently agreed to concurrent resolution on the budget” each place it occurs and inserting “most recently enacted joint resolution on the budget (as applicable)”.

(ii) The section heading of section 301 is amended by striking “adoption of concurrent resolution” and inserting “joint resolutions”;

(iii) Section 304 of such Act is amended to read as follows:

“PERMISSIBLE REVISIONS OF BUDGET RESOLUTIONS

“SEC. 304. At any time after the joint resolution on the budget for a fiscal year has been enacted pursuant to section 301, and before the end of such fiscal year, the two Houses and the President may enact a joint resolution on the budget which revises or reaffirms the joint resolution on the budget for such fiscal year most recently enacted. If a concurrent resolution on the budget has been agreed to pursuant to section 316, then before the end of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises or reaffirms the concurrent resolution on the budget for such fiscal year most recently agreed to.”

(C) Sections 302, 303, 310, and 311, of such Act are amended by striking “agreed to” each place it appears and by inserting “enacted”.

(2)(A) Paragraph (4) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking “concurrent” each place it appears and by inserting “joint”.

(B) The table of contents set forth in section 1(b) of such Act is amended—

(i) in the item relating to section 301, by striking “adoption of concurrent resolution” and inserting “joint resolutions”;

(ii) by striking the item relating to section 303 and inserting the following:

“Sec. 303. Consideration of budget-related legislation before budget becomes law.”;

(iii) in the item relating to section 304, by striking “concurrent” and inserting “budget” the first place it appears and by striking “on the budget”; and

(iv) by striking “concurrent” and inserting “joint” in the item relating to section 305.

(b) CONFORMING AMENDMENTS TO THE RULES OF THE HOUSE OF REPRESENTATIVES.—(1) Clauses 1(e)(1), 4(a)(4), 4(b)(2), 4(f)(1)(A), and 4(f)(2) of rule X, clause 10 of rule XVIII, and clause 10 of rule XX of the Rules of the House of Representatives are amended by striking “concurrent” each place it appears and inserting “joint”.

(2) Clause 10 of rule XVIII of the Rules of the House of Representatives is amended—

(A) in paragraph (b)(2), by striking “(5)” and inserting “(6)”; and

(B) by striking paragraph (c).

(c) CONFORMING AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—Section 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907d(b)(1)) is amended by striking “concurrent” and inserting “joint”.

(d) CONFORMING AMENDMENTS TO SECTION 310 REGARDING RECONCILIATION DIRECTIVES.—(1) The side heading of section 310(a) of the Congressional Budget Act of 1974 (as amended by section 105(a)) is further amended by inserting “JOINT EXPLANATORY STATEMENT ACCOMPANYING CONFERENCE REPORT ON” before “JOINT”.

(2) Section 310(a) of such Act is amended by striking “A” and inserting “The joint explanatory statement accompanying the conference report on a”.

(3) The first sentence of section 310(b) of such Act is amended by striking “If” and inserting “If the joint explanatory statement accompanying the conference report on”.

(4) Section 310(c)(1) of such Act is amended by inserting “the joint explanatory statement accompanying the conference report on” after “pursuant to”.

(5) Subsection (g) of section 310 of such Act is repealed.

(e) CONFORMING AMENDMENTS TO SECTION 3 REGARDING DIRECT SPENDING.—Section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding at the end the following new paragraph:

“(11) The term ‘direct spending’ has the meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

(f) TECHNICAL AMENDMENT REGARDING REVISED SUBALLOCATIONS.—Section 314(d) of the Congressional Budget Act of 1974 is amended by—

(1) striking “REPORTING” in the side heading, by inserting “the chairmen of” before “the Committees”, and by striking “may report” and inserting “shall make and have published in the Congressional Record”; and

(2) adding at the end the following new sentence: “For purposes of considering amendments (other than for amounts for emergencies covered by subsection (b)(1)), suballocations shall be deemed to be so adjusted.”

TITLE II—RESERVE FUND FOR EMERGENCIES

SEC. 201. PURPOSE.

The purposes of this title are to—

(1) develop budgetary and fiscal procedures for emergencies;

(2) subject spending for emergencies to budgetary procedures and controls; and

(3) establish criteria for determining compliance with emergency requirements.

SEC. 202. REPEAL OF ADJUSTMENTS FOR EMERGENCIES.

(a) DISCRETIONARY SPENDING LIMITS.—(1) Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(2) Such section 251(b)(2) is further amended by redesignating subparagraphs (B) through (G) as subparagraphs (A) through (F).

(b) DIRECT SPENDING.—Sections 252(e) and 252(d)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 are repealed.

(c) EMERGENCY DESIGNATION.—Clause 2 of rule XXI of the Rules of the House of Representatives is amended by repealing paragraph (e) and by redesignating paragraph (f) as paragraph (e).

(d) AMOUNT OF ADJUSTMENTS.—Section 314(b) of the Congressional Budget Act of 1974 is amended by striking paragraph (1) and by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively.

SEC. 203. OMB EMERGENCY CRITERIA.

Section 3 of the Congressional Budget and Impoundment Control Act of 1974 (as amended by section 105(e)) is further amended by adding at the end the following new paragraph:

“(12)(A) The term ‘emergency’ means a situation that—

“(i) requires new budget authority and outlays (or new budget authority and the outlays flowing therefrom) for the prevention or mitigation of, or response to, loss of life or property, or a threat to national security; and

“(ii) is unanticipated.

“(B) As used in subparagraph (A), the term ‘unanticipated’ means that the situation is—

“(i) sudden, which means quickly coming into being or not building up over time;

“(ii) urgent, which means a pressing and compelling need requiring immediate action;

“(iii) unforeseen, which means not predicted or anticipated as an emerging need; and

“(iv) temporary, which means not of a permanent duration.”

SEC. 204. DEVELOPMENT OF GUIDELINES FOR APPLICATION OF EMERGENCY DEFINITION.

Not later than 5 months after the date of enactment of this Act, the chairmen of the Committees on the Budget (in consultation with the President) shall, after consulting with the chairmen of the Committees on Appropriations and applicable authorizing committees of their respective Houses and the Directors of the Congressional Budget Office and the Office of Management and Budget, jointly publish in the Congressional Record guidelines for application of the definition of emergency set forth in section 3(12) of the Congressional Budget and Impoundment Control Act of 1974.

SEC. 205. RESERVE FUND FOR EMERGENCIES IN PRESIDENT'S BUDGET.

Section 1105 of title 31, United States Code is amended by adding at the end the following new subsections:

“(h) The budget transmitted pursuant to subsection (a) for a fiscal year shall include a reserve fund for emergencies. The amount set forth in such fund shall be calculated as provided under section 317(b) of the Congressional Budget Act of 1974.

“(i) In the case of any budget authority requested for an emergency, such submission shall include a detailed justification of the reasons that such emergency is an emergency within the meaning of section 3(12) of the Congressional Budget Act of 1974, consistent with the guidelines described in section 204 of the Comprehensive Budget Process Reform Act of 2000.”.

SEC. 206. ADJUSTMENTS AND RESERVE FUND FOR EMERGENCIES IN JOINT BUDGET RESOLUTIONS.

(a) EMERGENCIES.—Title III of the Congressional Budget Act of 1974 (as amended by section 104(c)) is further amended by adding at the end the following new section:

“EMERGENCIES

“SEC. 317. (a) ADJUSTMENTS.—

“(1) IN GENERAL.—After the reporting of a bill or joint resolution or the submission of a conference report thereon that provides budget authority for any emergency as identified pursuant to subsection (d)—

“(A) the chairman (in consultation with the ranking minority member) of the Committee on the Budget of the House of Representatives or the Senate shall determine and certify, pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000, the portion (if any) of the amount so specified that is for an emergency within the meaning of section 3(12); and

“(B) such chairman shall make the adjustment set forth in paragraph (2) for the amount of new budget authority (or outlays) in that measure and the outlays flowing from that budget authority.

“(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to the allocations made pursuant to the appropriate joint resolution on the budget pursuant to section 302(a) and shall be in an amount not to exceed the amount reserved for emergencies pursuant to the requirements of subsection (b).

“(3) PERMISSIBLE COMMITTEE VOTE ON ADJUSTMENTS.—Any adjustment made by the chairman of the Committee on the Budget of the House of Representatives or the Senate under paragraph (1) may be placed before the committee for its consideration by a majority vote of the members of the committee, a quorum being present.

“(b) RESERVE FUND FOR EMERGENCIES.—

“(1) AMOUNTS.—(A) The amount set forth in the reserve fund for emergencies for budget authority for a fiscal year pursuant to section 301(a)(4) shall equal the average of

the enacted levels of budget authority for emergencies in the 5 fiscal years preceding the current year.

“(B) The amount set forth in the reserve fund for emergencies for outlays pursuant to section 301(a)(4) shall be the following:

“(i) For the budget year, the amount provided by subparagraph (C)(i).

“(ii) For the year following the budget year, the sum of the amounts provided by subparagraphs (i) and (ii).

“(iii) For the second year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), and (iii).

“(iv) For the third year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), (iii), and (iv).

“(v) For the fourth year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), (iii), (iv), and (v).

“(C) The amount used to calculate the levels of the reserve fund for emergencies for outlays shall be the—

“(i) average outlays flowing from new budget authority in the fiscal year that the budget authority was provided;

“(ii) average outlays flowing from new budget authority in the fiscal year following the fiscal year in which the budget authority was provided;

“(iii) average outlays flowing from new budget authority in the second fiscal year following the fiscal year in which the budget authority was provided;

“(iv) average outlays flowing from new budget authority in the third fiscal year following the fiscal year in which the budget authority was provided for budget authority provided; and

“(v) average outlays flowing from new budget authority in the fourth fiscal year following the fiscal year in which the budget authority was provided;

if such budget authority was provided within the period of the 5 fiscal years preceding the current year.

“(2) AVERAGE LEVELS.—For purposes of paragraph (1), the amount used for a fiscal year to calculate the average of the enacted levels when one or more of such 5 preceding fiscal years is any of fiscal years 1996 through 2000 shall be for emergencies within the definition of section 3(12)(A) as determined by the Committees on the Budget of the House of Representatives and the Senate after receipt of a report on such matter transmitted to such committees by the Director of the Congressional Budget Office 6 months after the date of enactment of this section and thereafter in February of each calendar year.

“(c) EMERGENCIES IN EXCESS OF AMOUNTS IN RESERVE FUND.—Whenever the Committee on Appropriations or any other committee reports any bill or joint resolution that provides budget authority for any emergency and the report accompanying that bill or joint resolution, pursuant to subsection (d), identifies any provision that increases outlays or provides budget authority (and the outlays flowing therefrom) for such emergency, the enactment of which would cause—

“(1) in the case of the Committee on Appropriations, the total amount of budget authority or outlays provided for emergencies for the budget year; or

“(2) in the case of any other committee, the total amount of budget authority or outlays provided for emergencies for the budget year or the total of the fiscal years;

in the joint resolution on the budget (pursuant to section 301(a)(4)) to be exceeded:

“(A) Such bill or joint resolution shall be referred to the Committee on the Budget of the House or the Senate, as the case may be, with instructions to report it without

amendment, other than that specified in subparagraph (B), within 5 legislative days of the day in which it is reported from the originating committee. If the Committee on the Budget of either House fails to report a bill or joint resolution referred to it under this subparagraph within such 5-day period, the committee shall be automatically discharged from further consideration of such bill or joint resolution and such bill or joint resolution shall be placed on the appropriate calendar.

“(B) An amendment to such a bill or joint resolution referred to in this subsection shall only consist of an exemption from section 251 or 252 (as applicable) of the Balanced Budget and Emergency Deficit Control Act of 1985 of all or any part of the provisions that provide budget authority (and the outlays flowing therefrom) for such emergency if the committee determines, pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000, that such budget authority is for an emergency within the meaning of section 3(12).

“(C) If such a bill or joint resolution is reported with an amendment specified in subparagraph (B) by the Committee on the Budget of the House of Representatives or the Senate, then the budget authority and resulting outlays that are the subject of such amendment shall not be included in any determinations under section 302(f) or 311(a) for any bill, joint resolution, amendment, motion, or conference report.

“(d) COMMITTEE NOTIFICATION OF EMERGENCY LEGISLATION.—Whenever the Committee on Appropriations or any other committee of either House (including a committee of conference) reports any bill or joint resolution that provides budget authority for any emergency, the report accompanying that bill or joint resolution (or the joint explanatory statement of managers in the case of a conference report on any such bill or joint resolution) shall identify all provisions that provide budget authority and the outlays flowing therefrom for such emergency and include a statement of the reasons why such budget authority meets the definition of an emergency pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000.”.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 316 the following new item:

“Sec. 317. Emergencies.”.

SEC. 207. UP-TO-DATE TABULATIONS.

Section 308(b)(2) of the Congressional Budget Act of 1974 is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “; and”, and by adding at the end the following new subparagraph:

“(D) shall include an up-to-date tabulation of amounts remaining in the reserve fund for emergencies.”.

SEC. 208. PROHIBITION ON AMENDMENTS TO EMERGENCY RESERVE FUND.

(a) POINT OF ORDER.—Section 305 of the Congressional Budget Act of 1974 (as amended by section 103(c)) is further amended by adding at the end the following new subsection:

“(f) POINT OF ORDER REGARDING EMERGENCY RESERVE FUND.—It shall not be in order in the House of Representatives or in the Senate to consider an amendment to a joint resolution on the budget which changes the amount of budget authority and outlays set forth in section 301(a)(4) for emergency reserve fund.”.

(b) TECHNICAL AMENDMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “305(e), 305(f),” after “305(c)(4),”.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “305(e), 305(f),” after “305(c)(4),”.

SEC. 209. EFFECTIVE DATE.

The amendments made by this title shall apply to fiscal year 2002 and subsequent fiscal years, but such amendments shall take effect only after the enactment of legislation changing or extending for any fiscal year the discretionary spending limits set forth in section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 or legislation reducing the amount of any sequestration under section 252 of such Act by the amount of any reserve for any emergencies.

TITLE III—ENFORCEMENT OF BUDGETARY DECISIONS

SEC. 301. PURPOSES.

The purposes of this title are to—

(1) close loopholes in the enforcement of budget resolutions;

(2) require committees of the House of Representatives to include budget compliance statements in reports accompanying all legislation;

(3) require committees of the House of Representatives to justify the need for waivers of the Congressional Budget Act of 1974; and

(4) provide cost estimates of conference reports.

Subtitle A—Application of Points of Order to Unreported Legislation

SEC. 311. APPLICATION OF BUDGET ACT POINTS OF ORDER TO UNREPORTED LEGISLATION.

(a) Section 315 of the Congressional Budget Act of 1974 is amended by striking “reported” the first place it appears.

(b) Section 303(b) of the Congressional Budget Act of 1974 (as amended by section 104(b)(1)) is further amended—

(1) in paragraph (1), by striking “(A)” and by redesignating subparagraph (B) as paragraph (2) and by striking the semicolon at the end of such new paragraph (2) and inserting a period; and

(2) by striking paragraph (2) (as redesignated by such section 104(b)(1)).

Subtitle B—Compliance With Budget Resolution

SEC. 321. BUDGET COMPLIANCE STATEMENTS.

Clause 3(d) of rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

“(4) A budget compliance statement prepared by the chairman of the Committee on the Budget, if timely submitted prior to the filing of the report, which shall include assessment by such chairman as to whether the bill or joint resolution complies with the requirements of sections 302, 303, 306, 311, and 401 of the Congressional Budget Act of 1974 or any other requirements set forth in a joint resolution on the budget and may include the budgetary implications of that bill or joint resolution under section 251 or 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, as applicable.”.

Subtitle C—Justification for Budget Act Waivers

SEC. 331. JUSTIFICATION FOR BUDGET ACT WAIVERS IN THE HOUSE OF REPRESENTATIVES.

Clause 6 of rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(h) It shall not be in order to consider any resolution from the Committee on Rules for the consideration of any reported bill or joint resolution which waives section 302,

303, 311, or 401 of the Congressional Budget Act of 1974, unless the report accompanying such resolution includes a description of the provision proposed to be waived, an identification of the section being waived, the reasons why such waiver should be granted, and an estimated cost of the provisions to which the waiver applies.”.

Subtitle D—CBO Scoring of Conference Reports

SEC. 341. CBO SCORING OF CONFERENCE REPORTS.

(a) The first sentence of section 402 of the Congressional Budget Act of 1974 is amended as follows:

(1) Insert “or conference report thereon,” before “and submit”.

(2) In paragraph (1), strike “bill or resolution” and insert “bill, joint resolution, or conference report”.

(3) At the end of paragraph (2) strike “and”, at the end of paragraph (3) strike the period and insert “; and”, and after such paragraph (3) add the following new paragraph:

“(4) A determination of whether such bill, joint resolution, or conference report provides direct spending.”.

(b) The second sentence of section 402 of the Congressional Budget Act of 1974 is amended by inserting before the period the following: “, or in the case of a conference report, shall be included in the joint explanatory statement of managers accompanying such conference report if timely submitted before such report is filed”.

TITLE IV—ACCOUNTABILITY FOR FEDERAL SPENDING

SEC. 401. PURPOSES.

The purposes of this title are to—

(1) require committees to develop a schedule for reauthorizing all programs within their jurisdictions;

(2) provide an opportunity to offer amendments to subject new entitlement programs to annual discretionary appropriations;

(3) require the Committee on the Budget to justify any allocation to an authorizing committee for legislation that would not be subject to annual discretionary appropriation;

(4) provide estimates of the long-term impact of spending and tax legislation;

(5) provide a point of order for legislation creating a new direct spending program that does not expire within 10 years; and

(6) require a vote in the House of Representatives on any measure that increases the statutory limit on the public debt.

Subtitle A—Limitations on Direct Spending

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

“(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

“(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.”; and

(2) by redesignating subsection (c) as subsection (d) and by striking “(a) and (b)” both places it appears in such redesignated subsection (d) and inserting “(a), (b), and (c)”.

SEC. 412. AMENDMENTS TO SUBJECT NEW DIRECT SPENDING TO ANNUAL APPROPRIATIONS.

(a) HOUSE PROCEDURES.—Clause 5 of rule XVIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(c)(1) In the Committee of the Whole, an amendment only to subject a new program which provides direct spending to discretionary appropriations, if offered by the chairman of the Committee on the Budget (or his designee) or the chairman of the Committee of Appropriations (or his designee), may be precluded from consideration only by the specific terms of a special order of the House. Any such amendment, if offered, shall be debatable for twenty minutes equally divided and controlled by the proponent of the amendment and a Member opposed and shall not be subject to amendment.

“(2) As used in subparagraph (1), the term ‘direct spending’ has the meaning given such term in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974, except that such term does not include direct spending described in section 401(d)(1) of such Act.”.

(b) ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS FOR DISCRETIONARY APPROPRIATIONS OFFSET BY DIRECT SPENDING SAVINGS.—

(1) PURPOSE.—The purpose of the amendments made by this subsection is to hold the discretionary spending limits and the allocations made to the Committee on Appropriations under section 302(a) of the Congressional Budget Act of 1974 harmless for legislation that offsets a new discretionary program with a designated reduction in direct spending.

(2) DESIGNATING DIRECT SPENDING SAVINGS IN AUTHORIZATION LEGISLATION FOR NEW DISCRETIONARY PROGRAMS.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202) is further amended by adding at the end the following new subsection:

“(e) OFFSETS.—If a provision of direct spending legislation is enacted that—

“(1) decreases direct spending for any fiscal year; and

“(2) is designated as an offset pursuant to this subsection and such designation specifically identifies an authorization of discretionary appropriations (contained in such legislation) for a new program,

then the reductions in new budget authority and outlays in all fiscal years resulting from that provision shall be designated as an offset in the reports required under subsection (d).”.

(3) EXEMPTING SUCH DESIGNATED DIRECT SPENDING SAVINGS FROM PAYGO SCORECARD.—Section 252(d)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202(b)) is further amended by adding at the end the following new subparagraph:

“(B) offset provisions as designated under subsection (e).”.

(4) ADJUSTMENT IN DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202(a)(2)) is further amended by adding at the end the following new subparagraph:

“(G) DISCRETIONARY AUTHORIZATION OFFSETS.—If an Act other than an appropriation Act includes any provision reducing direct spending and specifically identifies any such provision as an offset pursuant to section 252(e), the adjustments shall be an increase in the discretionary spending limits for budget authority and outlays in each fiscal year equal to the amount of the budget authority and outlay reductions, respectively, achieved by the specified offset in that fiscal

year, except that the adjustments for the budget year in which the offsetting provision takes effect shall not exceed the amount of discretionary new budget authority provided for the new program (authorized in that Act) in an Act making discretionary appropriations and the outlays flowing therefrom."

(5) **ADJUSTMENT IN APPROPRIATION COMMITTEE'S ALLOCATIONS.**—Section 314(b) of the Congressional Budget Act of 1974 (as amended by section 202(d)) is further amended by striking "; or" at the end of paragraph (4), by striking the period and inserting "; or" at the end of paragraph (5), and by adding at the end the following new paragraph:

"(6) the amount provided in an Act making discretionary appropriations for the program for which an offset was designated pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 and any outlays flowing therefrom, but not to exceed the amount of the designated decrease in direct spending for that year for that program in a prior law."

(6) **ADJUSTMENT IN AUTHORIZING COMMITTEE'S ALLOCATIONS.**—Section 314 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

"(f) **ADJUSTMENT IN AUTHORIZING COMMITTEE'S ALLOCATIONS BY AMOUNT OF DIRECT SPENDING OFFSET.**—After the reporting of a bill or joint resolution (by a committee other than the Committee on Appropriations), or the offering of an amendment thereto or the submission of a conference report thereon, that contains a provision that decreases direct spending for any fiscal year and that is designated as an offset pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the chairman of the Committee on the Budget shall reduce the allocations of new budget authority and outlays made to such committee under section 302(a)(1) by the amount so designated."

Subtitle B—Enhanced Congressional Oversight Responsibilities

SEC. 421. TEN-YEAR CONGRESSIONAL REVIEW REQUIREMENT OF PERMANENT BUDGET AUTHORITY.

(a) **TIMETABLE FOR REVIEW.**—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivision:

"(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years."

(b) **REVIEW OF PERMANENT BUDGET AUTHORITY BY THE COMMITTEE ON APPROPRIATIONS.**—Clause 4(a) of rule X of the Rules of the House of Representatives is amended—

(1) by striking subparagraph (2); and
(2) by redesignating subparagraphs (3) and (4) as subparagraphs (2) and (3) and by striking "from time to time" and inserting "at least once each Congress" in subparagraph (2) (as redesignated).

(c) **CONFORMING AMENDMENT.**—Clause 4(e)(2) of rule X of the Rules of the House of Representatives is amended by striking "from time to time" and inserting "at least once every ten years."

SEC. 422. JUSTIFICATIONS OF DIRECT SPENDING.

(a) **SECTION 302 ALLOCATIONS.**—Section 302(a) of the Congressional Budget Act of 1974 (as amended by section 104(a)) is further amended by adding at the end the following new paragraph:

"(5) **JUSTIFICATION OF CERTAIN SPENDING ALLOCATIONS.**—The joint explanatory state-

ment accompanying a conference report on a joint resolution on the budget that includes any allocation to a committee (other than the Committee on Appropriations) of levels in excess of current law levels shall set forth a justification (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit) for not subjecting any program, project, or activity (for which the allocation is made) to annual discretionary appropriation."

(b) **PRESIDENTS' BUDGET SUBMISSIONS.**—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

"(33) a justification for not subjecting each proposed new direct spending program, project, or activity to discretionary appropriations (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit)."

(c) **COMMITTEE JUSTIFICATION FOR DIRECT SPENDING.**—Clause 4(e)(2) of rule X of the Rules of the House of Representatives is amended by inserting before the period the following: ", and will provide specific information in any report accompanying such bills and joint resolutions to the greatest extent practicable to justify the reasons that the programs, projects, and activities involved would not be subject to annual appropriation (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit)".

SEC. 423. SURVEY OF ACTIVITY REPORTS OF HOUSE COMMITTEES.

Clause 1(d) of rule XI of the Rules of the House of Representatives is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

"(4) Such report shall include a summary of and justifications for all bills and joint resolutions reported by such committee that—

"(A) were considered before the adoption of the appropriate budget resolution and did not fall within an exception set forth in section 303(b) of the Congressional Budget Act of 1974;

"(B) exceeded its allocation under section 302(a) of such Act or breached an aggregate level in violation of section 311 of such Act; or

"(C) contained provisions in violation of section 401 of such Act.

Such report shall also specify the total amount by which legislation reported by that committee exceeded its allocation under section 302(a) or breached the revenue floor under section 311(a) of such Act for each fiscal year during that Congress."

SEC. 424. CONTINUING STUDY OF ADDITIONAL BUDGET PROCESS REFORMS.

Section 703 of the Congressional Budget Act of 1974 is amended as follows:

(1) In subsection (a), strike "and" at the end of paragraph (3), strike the period at the end of paragraph (4) and insert "; and", and at the end add the following new paragraph:

"(5) evaluating whether existing programs, projects, and activities should be subject to discretionary appropriations and establishing guidelines for subjecting new or expanded programs, projects, and activities to annual appropriation and recommend any necessary changes in statutory enforcement mechanisms and scoring conventions to effectuate such changes. These guidelines are only for advisory purposes."

(2) In subsection (b), strike "from time to time" and insert "during the One Hundred Seventh Congress".

SEC. 425. GAO REPORTS.

The last sentence of section 404 of the Congressional Budget Act of 1974 is amended to read as follows: "Such report shall be revised at least once every five years and shall be transmitted to the chairman and ranking minority member of each committee of the House of Representatives and the Senate."

Subtitle C—Strengthened Accountability

SEC. 431. TEN-YEAR CBO ESTIMATES.

(a) **CBO REPORTS ON LEGISLATION.**—Section 308(a)(1)(B) of the Congressional Budget Act of 1974 is amended by striking "four" and inserting "nine".

(b) **ANALYSIS BY CBO.**—Section 402(1) of the Congressional Budget Act of 1974 is amended by striking "4" and inserting "nine".

(c) **COST ESTIMATES.**—Clause 3(d)(2)(A) of rule XIII of the Rules of the House of Representatives is amended by striking "five" each place it appears and inserting "10".

SEC. 432. REPEAL OF RULE XXIII OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

Rule XXIII of the Rules of the House of Representatives (relating to the establishment of the statutory limit on the public debt) is repealed.

TITLE V—BUDGETING FOR UNFUNDED LIABILITIES AND OTHER LONG-TERM OBLIGATIONS

SEC. 501. PURPOSES.

The purposes of this title are to—

(1) budget for the long-term costs of Federal insurance programs;

(2) improve congressional control of those costs; and

(3) periodically report on long-term budgetary trends.

Subtitle A—Budgetary Treatment of Federal Insurance Programs

SEC. 511. FEDERAL INSURANCE PROGRAMS.

(a) **IN GENERAL.**—The Congressional Budget Act of 1974 is amended by adding after title V the following new title:

"TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

"SEC. 601. SHORT TITLE.

"This title may be cited as the 'Federal Insurance Budgeting Act of 2000'.

"SEC. 602. BUDGETARY TREATMENT.

"(a) **PRESIDENT'S BUDGET.**—Beginning with fiscal year 2007, the budget of the Government pursuant to section 1105(a) of title 31, United States Code, shall be based on the risk-assumed cost of Federal insurance programs.

"(b) **BUDGET ACCOUNTING.**—For any Federal insurance program—

"(1) the program account shall—

"(A) pay the risk-assumed cost borne by the taxpayer to the financing account, and

"(B) pay actual insurance program administrative costs;

"(2) the financing account shall—

"(A) receive premiums and other income,

"(B) pay all claims for insurance and receive all recoveries,

"(C) transfer to the program account on not less than an annual basis amounts necessary to pay insurance program administrative costs;

"(3) a negative risk-assumed cost shall be transferred from the financing account to the program account, and shall be transferred from the program account to the general fund; and

"(4) all payments by or receipts of the financing accounts shall be treated in the budget as a means of financing.

“(c) APPROPRIATIONS REQUIRED.—(1) Notwithstanding any other provision of law, insurance commitments may be made for fiscal year 2007 and thereafter only to the extent that new budget authority to cover their risk-assumed cost is provided in advance in an appropriation Act.

“(2) An outstanding insurance commitment shall not be modified in a manner that increases its risk-assumed cost unless budget authority for the additional cost has been provided in advance.

“(3) Paragraph (1) shall not apply to Federal insurance programs that constitute entitlements.

“(d) REESTIMATES.—The risk-assumed cost for a fiscal year shall be reestimated in each subsequent year. Such reestimate can equal zero. In the case of a positive reestimate, the amount of the reestimate shall be paid from the program account to the financing account. In the case of a negative reestimate, the amount of the reestimate shall be paid from the financing account to the program account, and shall be transferred from the program account to the general fund. Reestimates shall be displayed as a distinct and separately identified subaccount in the program account.

“(e) ADMINISTRATIVE EXPENSES.—All funding for an agency's administration of a Federal insurance program shall be displayed as a distinct and separately identified subaccount in the program account.

“SEC. 603. TIMETABLE FOR IMPLEMENTATION OF ACCRUAL BUDGETING FOR FEDERAL INSURANCE PROGRAMS.

“(a) AGENCY REQUIREMENTS.—Agencies with responsibility for Federal insurance programs shall develop models to estimate their risk-assumed cost by year through the budget horizon and shall submit those models, all relevant data, a justification for critical assumptions, and the annual projected risk-assumed costs to OMB with their budget requests each year starting with the request for fiscal year 2003. Agencies will likewise provide OMB with annual estimates of modifications, if any, and reestimates of program costs. Nothing in this subsection shall be construed to require an agency, which is subject to statutory requirements, to maintain a risk-based assessment system with a minimum level of reserves against loss and to assess insured entities for risk-based premiums, to provide models, critical assumptions, or other data that would, as determined by such agency, affect financial markets or the viability of insured entities.

“(b) DISCLOSURE.—When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2003, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities would use to estimate the risk-assumed cost of Federal insurance programs and giving such persons an opportunity to submit comments. At the same time, the chairman of the Committee on the Budget shall publish a notice for CBO in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it would use to estimate the risk-assumed cost of Federal insurance programs and giving such interested persons an opportunity to submit comments.

“(c) REVISION.—(1) After consideration of comments pursuant to subsection (b), and in consultation with the Committees on the Budget of the House of Representatives and

the Senate, OMB and CBO shall revise the models, data, and major assumptions they would use to estimate the risk-assumed cost of Federal insurance programs. Except as provided by the next sentence, this paragraph shall not apply to an agency that is subject to statutory requirements to maintain a risk-based assessment system with a minimum level of reserves against loss and to assess insured entities for risk-based premiums. However, such agency shall consult with the aforementioned entities.

“(2) When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2004, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities used to estimate the risk-assumed cost of Federal insurance programs.

“(d) DISPLAY.—

“(1) IN GENERAL.—For fiscal years 2004, 2005, and 2006 the budget submissions of the President pursuant to section 1105(a) of title 31, United States Code, and CBO's reports on the economic and budget outlook pursuant to section 202(e)(1) and the President's budgets, shall for display purposes only, estimate the risk-assumed cost of existing or proposed Federal insurance programs.

“(2) OMB.—The display in the budget submissions of the President for fiscal years 2004, 2005, and 2006 shall include—

“(A) a presentation for each Federal insurance program in budget-account level detail of estimates of risk-assumed cost;

“(B) a summary table of the risk-assumed costs of Federal insurance programs; and

“(C) an alternate summary table of budget functions and aggregates using risk-assumed rather than cash-based cost estimates for Federal insurance programs.

“(3) CBO.—In the 108th Congress and the first session of the 109th Congress, CBO shall include in its estimates under section 308, for display purposes only, the risk-assumed cost of existing Federal insurance programs, or legislation that CBO, in consultation with the Committees on the Budget of the House of Representatives and the Senate, determines would create a new Federal insurance program.

“(e) OMB, CBO, AND GAO EVALUATIONS.—(1) Not later than 6 months after the budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2006, OMB, CBO, and GAO shall each submit to the Committees on the Budget of the House of Representatives and the Senate a report that evaluates the advisability and appropriate implementation of this title.

“(2) Each report made pursuant to paragraph (1) shall address the following:

“(A) The adequacy of risk-assumed estimation models used and alternative modeling methods.

“(B) The availability and reliability of data or information necessary to carry out this title.

“(C) The appropriateness of the explicit or implicit discount rate used in the various risk-assumed estimation models.

“(D) The advisability of specifying a statutory discount rate (such as the Treasury rate) for use in risk-assumed estimation models.

“(E) The ability of OMB, CBO, or GAO, as applicable, to secure any data or information directly from any Federal agency necessary to enable it to carry out this title.

“(F) The relationship between risk-assumed accrual budgeting for Federal insurance programs and the specific requirements

of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(G) Whether Federal budgeting is improved by the inclusion of risk-assumed cost estimates for Federal insurance programs.

“(H) The advisability of including each of the programs currently estimated on a risk-assumed cost basis in the Federal budget on that basis.

“SEC. 604. DEFINITIONS.

“For purposes of this title:

“(1) The term ‘Federal insurance program’ means a program that makes insurance commitments and includes the list of such programs included in the joint explanatory statement of managers accompanying the conference report on the Comprehensive Budget Process Reform Act of 2000.

“(2) The term ‘insurance commitment’ means an agreement in advance by a Federal agency to indemnify a nonfederal entity against specified losses. This term does not include loan guarantees as defined in title V or benefit programs such as social security, medicare, and similar existing social insurance programs.

“(3)(A) The term ‘risk-assumed cost’ means the net present value of the estimated cash flows to and from the Government resulting from an insurance commitment or modification thereof.

“(B) The cash flows associated with an insurance commitment include—

“(i) expected claims payments inherent in the Government's commitment;

“(ii) net premiums (expected premium collections received from or on behalf of the insured less expected administrative expenses);

“(iii) expected recoveries; and

“(iv) expected changes in claims, premiums, or recoveries resulting from the exercise by the insured of any option included in the insurance commitment.

“(C) The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment, and the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment as modified.

“(D) The cost of a reestimate is the difference between the net present value of the amount currently required by the financing account to pay estimated claims and other expenditures and the amount currently available in the financing account. The cost of a reestimate shall be accounted for in the current year in the budget of the Government pursuant to section 1105(a) of title 31, United States Code.

“(E) For purposes of this definition, expected administrative expenses shall be construed as the amount estimated to be necessary for the proper administration of the insurance program. This amount may differ from amounts actually appropriated or otherwise made available for the administration of the program.

“(4) The term ‘program account’ means the budget account for the risk-assumed cost, and for paying all costs of administering the insurance program, and is the account from which the risk-assumed cost is disbursed to the financing account.

“(5) The term ‘financing account’ means the nonbudget account that is associated with each program account which receives payments from or makes payments to the program account, receives premiums and other payments from the public, pays insurance claims, and holds balances.

“(6) The term ‘modification’ means any Government action that alters the risk-assumed cost of an existing insurance commitment from the current estimate of cash flows. This includes any action resulting

from new legislation, or from the exercise of administrative discretion under existing law, that directly or indirectly alters the estimated cost of existing insurance commitments.

"(7) The term 'model' means any actuarial, financial, econometric, probabilistic, or other methodology used to estimate the expected frequency and magnitude of loss-producing events, expected premiums or collections from or on behalf of the insured, expected recoveries, and administrative expenses.

"(8) The term 'current' has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

"(9) The term 'OMB' means the Director of the Office of Management and Budget.

"(10) The term 'CBO' means the Director of the Congressional Budget Office.

"(11) The term 'GAO' means the Comptroller General of the United States.

"SEC. 605. AUTHORIZATIONS TO ENTER INTO CONTRACTS; ACTUARIAL COST ACCOUNT.

"(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$600,000 for each of fiscal years 2001 through 2006 to the Director of the Office of Management and Budget and each agency responsible for administering a Federal program to carry out this title.

"(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay the insurance financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above. The authorities described above shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate an insurance program. All the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds, and the Secretary of the Treasury shall pay interest on these funds.

"(c) APPROPRIATION OF AMOUNT NECESSARY TO COVER RISK-ASSUMED COST OF INSURANCE COMMITMENTS AT TRANSITION DATE.—(1) A financing account is established on September 30, 2006, for each Federal insurance program.

"(2) There is appropriated to each financing account the amount of the risk-assumed cost of Federal insurance commitments outstanding for that program as of the close of September 30, 2006.

"(3) These financing accounts shall be used in implementing the budget accounting required by this title.

"SEC. 606. EFFECTIVE DATE.

"(a) IN GENERAL.—This title shall take effect immediately and shall expire on September 30, 2008.

"(b) SPECIAL RULE.—If this title is not reauthorized by September 30, 2008, then the accounting structure and budgetary treatment of Federal insurance programs shall revert to the accounting structure and budgetary treatment in effect immediately before the date of enactment of this title."

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 507 the following new items:

"TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

"Sec. 601. Short title.

"Sec. 602. Budgetary treatment.

"Sec. 603. Timetable for implementation of accrual budgeting for Federal insurance programs.

"Sec. 604. Definitions.

"Sec. 605. Authorizations to enter into contracts; actuarial cost account.

"Sec. 606. Effective date."

Subtitle B—Reports on Long-Term Budgetary Trends

SEC. 521. REPORTS ON LONG-TERM BUDGETARY TRENDS.

(a) THE PRESIDENT'S BUDGET.—Section 1105(a) of title 31, United States Code (as amended by section 404), is further amended by adding at the end the following new paragraph:

"(34) an analysis based upon current law and an analysis based upon the policy assumptions underlying the budget submission for every fifth year of the period of 75 fiscal years beginning with such fiscal year, of the estimated levels of total new budget authority and total budget outlays, estimated revenues, estimated surpluses and deficits, and, for social security, medicare, medicaid, and all other direct spending, estimated levels of total new budget authority and total budget outlays; and a specification of its underlying assumptions and a sensitivity analysis of factors that have a significant effect on the projections made in each analysis; and a comparison of the effects of each of the two analyses on the economy, including such factors as inflation, foreign investment, interest rates, and economic growth."

(b) CBO REPORTS.—Section 202(e)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentences: "Such report shall also include an analysis based upon current law for every fifth year of the period of 75 fiscal years beginning with such fiscal year, of the estimated levels of total new budget authority and total budget outlays, estimated revenues, estimated surpluses and deficits, and, for social security, medicare, medicaid, and all other direct spending, estimated levels of total new budget authority and total budget outlays. The report described in the preceding sentence shall also specify its underlying assumptions and set forth a sensitivity analysis of factors that have a significant effect on the projections made in the report."

TITLE VI—BASELINES AND BYRD RULE

SEC. 601. PURPOSE.

The purposes of this title are to—

(1) require budgetary comparisons to prior year levels; and

(2) restrict the application of the Byrd rule to measures other than conference reports.

Subtitle A—The Baseline

SEC. 611. THE PRESIDENT'S BUDGET.

(a) Paragraph (5) of section 1105(a) of title 31, United States Code, is amended to read as follows:

"(5) except as provided in subsection (b) of this section, estimated expenditures and appropriations for the current year and estimated expenditures and proposed appropriations the President decides are necessary to support the Government in the fiscal year for which the budget is submitted and the 4 fiscal years following that year, and, except for detailed budget estimates, the percentage change from the current year to the fiscal year for which the budget is submitted for estimated expenditures and for appropriations."

(b) Section 1105(a)(6) of title 31, United States Code, is amended to read as follows:

"(6) estimated receipts of the Government in the current year and the fiscal year for which the budget is submitted and the 4 fiscal years after that year under—

"(A) laws in effect when the budget is submitted; and

"(B) proposals in the budget to increase revenues, and the percentage change (in the case of each category referred to in subparagraphs (A) and (B)) between the current year and the fiscal year for which the budget is submitted and between the current year and each of the 9 fiscal years after the fiscal year for which the budget is submitted."

(c) Section 1105(a)(12) of title 31, United States Code, is amended to read as follows:

"(12) for each proposal in the budget for legislation that would establish or expand a Government activity or function, a table showing—

"(A) the amount proposed in the budget for appropriation and for expenditure because of the proposal in the fiscal year for which the budget is submitted;

"(B) the estimated appropriation required because of the proposal for each of the 4 fiscal years after that year that the proposal will be in effect; and

"(C) the estimated amount for the same activity or function, if any, in the current fiscal year,

and, except for detailed budget estimates, the percentage change (in the case of each category referred to in subparagraphs (A), (B), and (C)) between the current year and the fiscal year for which the budget is submitted."

(d) Section 1105(a)(18) of title 31, United States Code, is amended by inserting "new budget authority and" before "budget outlays."

(e) Section 1105(a) of title 31, United States Code, (as amended by sections 412(b) and 521(a)) is further amended by adding at the end the following new paragraphs:

"(35) a comparison of levels of estimated expenditures and proposed appropriations for each function and subfunction in the current fiscal year and the fiscal year for which the budget is submitted, along with the proposed increase or decrease of spending in percentage terms for each function and subfunction.

"(36) a table on sources of growth in total direct spending under current law and as proposed in this budget submission for the budget year and the ensuing 9 fiscal years, which shall include changes in outlays attributable to the following: cost-of-living adjustments; changes in the number of program recipients; increases in medical care prices, utilization and intensity of medical care; and residual factors.

"(37) a comparison of the estimated level of obligation limitations, budget authority, and outlays for highways subject to the discretionary spending limits for highways (if any) set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the fiscal year for which the budget is submitted and the corresponding levels for such year under current law as adjusted pursuant to section 251(b)(1)(D) of such Act."

(f) Section 1109(a) of title 31, United States Code, is amended by inserting after the first sentence the following new sentence: "For discretionary spending, these estimates shall assume the levels set forth in the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as adjusted, for the appropriate fiscal years (and if no such limits are in effect, these estimates shall assume the adjusted levels for the most recent fiscal year for which such levels were in effect)."

SEC. 612. THE CONGRESSIONAL BUDGET.

Section 301(e) of the Congressional Budget Act of 1974 (as amended by section 103) is further amended—

(1) in paragraph (1), by inserting at the end the following: "The basis of deliberations in developing such joint resolution shall be the

estimated budgetary levels for the preceding fiscal year. Any budgetary levels pending before the committee and the text of the joint resolution shall be accompanied by a document comparing such levels or such text to the estimated levels of the prior fiscal year. Any amendment offered in the committee that changes a budgetary level and is based upon a specific policy assumption for a program, project, or activity shall be accompanied by a document indicating the estimated amount for such program, project, or activity in the current year.”; and

(2) in paragraph (2), by striking “and” at the end of subparagraph (H) (as redesignated), by striking the period and inserting a semicolon at the end of subparagraph (I) (as redesignated), and by adding at the end the following new subparagraphs:

“(J) a comparison of levels for the current fiscal year with proposed spending and revenue levels for the subsequent fiscal years along with the proposed increase or decrease of spending in percentage terms for each function; and

“(K) a comparison of the proposed levels of new budget authority and outlays for the highway category (if any) (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) for the budget year with the corresponding levels under current law as adjusted consistent with the anticipated revenue alignment adjustments to be made pursuant to section 251(b)(1)(D) of such Act.”.

SEC. 613. CONGRESSIONAL BUDGET OFFICE REPORTS TO COMMITTEES.

(a) The first sentence of section 202(e)(1) of the Congressional Budget Act of 1974 is amended by inserting “compared to comparable levels for the current year” before the comma at the end of subparagraph (A) and before the comma at the end of subparagraph (B).

(b) Section 202(e)(1) of the Congressional Budget Act of 1974 is amended by inserting after the first sentence the following new sentence: “Such report shall also include a table on sources of spending growth in total direct spending for the budget year and the ensuing 9 fiscal years, which shall include changes in outlays attributable to the following: cost-of-living adjustments; changes in the number of program recipients; increases in medical care prices, utilization and intensity of medical care; and residual factors.”.

(c) Section 308(a)(1)(B) of the Congressional Budget Act of 1974 is amended by inserting “and shall include a comparison of those levels to comparable levels for the current fiscal year” before “if timely submitted”.

SEC. 614. OUTYEAR ASSUMPTIONS FOR DISCRETIONARY SPENDING.

For purposes of chapter 11 of title 31 of the United States Code, or the Congressional Budget Act of 1974, unless otherwise expressly provided, in making budgetary projections for years for which there are no discretionary spending limits, the Director of the Office of Management and Budget and the Director of the Congressional Budget Office shall assume discretionary spending levels at the levels for the last fiscal year for which such levels were in effect.

Subtitle B—The Byrd Rule

SEC. 621. LIMITATION ON BYRD RULE.

(a) PROTECTION OF CONFERENCE REPORTS.—Section 313 of the Congressional Budget Act of 1974 is amended—

(1) in subsection (c), by striking “and again upon the submission of a conference report on such a reconciliation bill or resolution,”;

(2) by striking subsection (d);

(3) by redesignating subsection (e) as subsection (d); and

(4) in subsection (e), as redesignated—

(A) by striking “, motion, or conference report” the first place it appears and inserting “, or motion”; and

(B) by striking “, motion, or conference report” the second and third places it appears and inserting “or motion”.

(b) CONFORMING AMENDMENT.—The first sentence of section 312(e) of the Congressional Budget Act of 1974 is amended by inserting “, except for section 313,” after “Act”.

The CHAIRMAN. No amendment to that amendment is in order except those printed in House Report 106-613. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to an amendment, and shall not be subject to a demand for a division of the question.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment, and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to consider amendment No. 1 printed in House Report 106-613.

AMENDMENT NO. 1 OFFERED BY MR. DREIER

Mr. DREIER. Mr. Chairman, I offer amendment No. 1 made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. DREIER:
At the end, add the following new title:

TITLE VII—BIENNIAL BUDGETING

SEC. 701. FINDINGS.

The Congress finds that—

(1) the annual appropriations and budget process increasingly dominates the congressional agenda and Congress regularly fails to meet the deadlines of the Congressional Budget Act of 1974;

(2) the design of the budget process has led to repetitive and time-consuming budget votes, decreasing the time available for the systematic and programmatic oversight of Federal programs and delaying the enactment of legislation necessary to fund the Government;

(3) Congress' responsibility to improve the efficiency, economy, and effectiveness of governmental operations, evaluate programs and performance, detect and prevent poor administration, waste, or abuse in Government programs, ensure that executive policies reflect the public interest, ensure administrative compliance with legislative intent, and prevent executive encroachment on legislative authority and prerogatives is undermined by the current time-consuming and repetitive budget process;

(4) an annual budget process encourages inefficiency in the management, stability, and predictability of Federal funding, particularly for States and localities;

(5) a biennial budget process will reduce the number of budget-related votes during each Congress, enhance congressional oversight of Government operations, encourage longer time horizons in policy planning and greater stability in fiscal policy;

(6) a biennial budget process was a principal recommendation of the 1993 Joint Committee on the Organization of Congress and the Vice President's National Performance Review;

(7) since the enactment of the Congressional Budget Act of 1974, more than 50 bills addressing a two-year budget cycle have been introduced, 10 biennial budget related provisions were reported by congressional committees, 7 passed either chamber and 4 were enacted; more than 40 congressional or special committee hearings addressed the issue of biennial budgeting; and the Congressional Budget Office, the Office of Management and Budget, and 5 different special task forces or joint committees of Congress have either recommended biennial budgeting or further studies of it;

(8) the adoption of a biennial budget process was recommended by President Reagan in the fiscal year 1989 budget submission, by President Bush in the fiscal year 1990 and 1991 budget submissions, and by President Clinton in the fiscal year 1995, 2000, and 2001 budget submissions; and

(9) a bipartisan majority of Members of the House of Representatives support a biennial budget process.

SEC. 702. REVISION OF TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 (2 U.S.C. 631) is amended to read as follows:

“TIMETABLE

“SEC. 300. (a) IN GENERAL.—Except as provided by subsection (b), the timetable with respect to the congressional budget process for any Congress (beginning with the One Hundred Eighth Congress) is as follows:

“On or before: First Monday in February February 15	“First Session Action to be completed: President submits budget recommendations. Congressional Budget Office submits report to Budget Committees. Committees submit views and estimates to Budget Committees. Budget Committees report concurrent resolution on the biennial budget. Congress completes action on concurrent resolution on the biennial budget. Biennial appropriation bills may be considered in the House. House Appropriations Committee reports last biennial appropriation bill. House completes action on biennial appropriation bills. Biennium begins.
Not later than 6 weeks after budget submission. April 1	“Second Session Action to be completed: President submits budget review. Congressional Budget Office submits report to Budget Committees. Congress completes action on bills and resolutions authorizing new budget authority for the succeeding biennium.
May 15	
May 15	
June 10	
June 30	
October 1	
“On or before: February 15	
Not later than 6 weeks after President submits budget review. The last day of the session	

“(b) SPECIAL RULE.—In the case of any first session of Congress that begins in any year during which the term of a President (except a President who succeeds himself) begins, the following dates shall supersede those set forth in subsection (a):

“On or before: First Monday in April	“First Session Action to be completed: President submits budget recommendations. Committees submit views and estimates to Budget Committees. Budget Committees report concurrent resolution on the biennial budget. Congress completes action on concurrent resolution on the biennial budget. Biennial appropriation bills may be considered in the House. House Appropriations Committee reports last biennial appropriation bill. House completes action on biennial appropriation bills. Biennium begins.”.
April 20	
May 15	
June 1	
June 1	
July 1	
July 20	
October 1	

SEC. 703. AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

(a) DECLARATION OF PURPOSE.—Section 2(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621(2)) is amended by striking “each year” and inserting “biennially”.

(b) DEFINITIONS.—

(1) BUDGET RESOLUTION.—Section 3(4) of such Act (2 U.S.C. 622(4)) is amended by striking “fiscal year” each place it appears and inserting “biennium”.

(2) BIENNIUM.—Section 3 of such Act (2 U.S.C. 622) (as amended by section 203) is further amended by adding at the end the following new paragraph:

“(13) The term ‘biennium’ means the period of 2 consecutive fiscal years beginning on October 1 of any odd-numbered year.”.

(c) BIENNIAL CONCURRENT RESOLUTION ON THE BUDGET.—

(1) CONTENTS OF RESOLUTION.—Section 301(a) of such Act (2 U.S.C. 632(a)) is amended—

(A) in the matter preceding paragraph (1) by—

(i) striking “April 15 of each year” and inserting “May 15 of each odd-numbered year”;

(ii) striking “the fiscal year beginning on October 1 of such year” the first place it appears and inserting “the biennium beginning on October 1 of such year”; and

(iii) striking “the fiscal year beginning on October 1 of such year” the second place it appears and inserting “each fiscal year in such period”;

(B) in paragraph (6), by striking “for the fiscal year” and inserting “for each fiscal year in the biennium”; and

(C) in paragraph (7), by striking “for the fiscal year” and inserting “for each fiscal year in the biennium”.

(2) ADDITIONAL MATTERS.—Section 301(b) of such Act (2 U.S.C. 632(b)) is amended—

(A) in paragraph (3), by striking “for such fiscal year” and inserting “for either fiscal year in such biennium”; and

(B) in paragraph (7), by striking “for the first fiscal year” and inserting “for each fiscal year in the biennium”.

(3) VIEWS OF OTHER COMMITTEES.—Section 301(d) of such Act (2 U.S.C. 632(d)) is amended by inserting “(or, if applicable, as provided by section 300(b))” after “United States Code”.

(4) HEARINGS.—Section 301(e)(1) of such Act (2 U.S.C. 632(e)) is amended by—

(A) striking “fiscal year” and inserting “biennium”; and

(B) inserting after the second sentence the following: “On or before April 1 of each odd-numbered year (or, if applicable, as provided by section 300(b)), the Committee on the Budget of each House shall report to its House the concurrent resolution on the budget referred to in subsection (a) for the biennium beginning on October 1 of that year.”.

(5) GOALS FOR REDUCING UNEMPLOYMENT.—Section 301(f) of such Act (2 U.S.C. 632(f)) is amended by striking “fiscal year” each place it appears and inserting “biennium”.

(6) ECONOMIC ASSUMPTIONS.—Section 301(g)(1) of such Act (2 U.S.C. 632(g)(1)) is amended by striking “for a fiscal year” and inserting “for a biennium”.

(7) SECTION HEADING.—The section heading of section 301 of such Act is amended by striking “ANNUAL” and inserting “BIENNIAL”.

(8) TABLE OF CONTENTS.—The item relating to section 301 in the table of contents set forth in section 1(b) of such Act is amended by striking “Annual” and inserting “Biennial”.

(d) COMMITTEE ALLOCATIONS.—Section 302 of such Act (2 U.S.C. 633) is amended—

(1) in subsection (a)(1) by—

(A) striking “for the first fiscal year of the resolution,” and inserting “for each fiscal year in the biennium,”;

(B) striking “for that period of fiscal years” and inserting “for all fiscal years covered by the resolution”; and

(C) striking “for the fiscal year of that resolution” and inserting “for each fiscal year in the biennium”;

(2) in subsection (f)(1), by striking “for a fiscal year” and inserting “for a biennium”;

(3) in subsection (f)(1), by striking “first fiscal year” and inserting “either fiscal year of the biennium”;

(4) in subsection (f)(2)(A), by—

(A) striking “first fiscal year” and inserting “each fiscal year of the biennium”; and

(B) striking “the total of fiscal years” and inserting “the total of all fiscal years covered by the resolution”; and

(5) in subsection (g)(1)(A), by striking “April” and inserting “May”.

(e) SECTION 303 POINT OF ORDER.—

(1) IN GENERAL.—Section 303(a) of such Act (2 U.S.C. 634(a)) is amended by striking “for a fiscal year” and inserting “for a biennium” and by striking “the first fiscal year” and inserting “each fiscal year of the biennium”.

(2) EXCEPTIONS IN THE HOUSE.—Section 303(b) of such Act (2 U.S.C. 634(b)) is amended—

(A) in paragraph (1)(A), by striking “the budget year” and inserting “the biennium”;

(B) in paragraph (1)(B), by striking “the fiscal year” and inserting “the biennium”; and

(C) in paragraph (2), by inserting “(or June 1 whenever section 300(b) is applicable)”.

(3) APPLICATION TO THE SENATE.—Section 303(c)(1) of such Act (2 U.S.C. 634(c)) is amended by—

(A) striking “fiscal year” and inserting “biennium”; and

(B) striking “that year” and inserting “each fiscal year of that biennium”.

(f) PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET.—Section 304 of such Act (2 U.S.C. 635) is amended—

(1) by striking “fiscal year” the first two places it appears and inserting “biennium”;

(2) by striking “for such fiscal year”; and

(3) by inserting before the period “for such biennium”.

(g) PROCEDURES FOR CONSIDERATION OF BUDGET RESOLUTIONS.—Section 305(a)(3) of such Act (2 U.S.C. 636(b)(3)) is amended by striking “fiscal year” and inserting “biennium”.

(h) COMPLETION OF HOUSE COMMITTEE ACTION ON APPROPRIATION BILLS.—Section 307 of such Act (2 U.S.C. 638) is amended—

(1) by striking “each year” and inserting “each odd-numbered year (or, if applicable, as provided by section 300(b), July 1)”;

(2) by striking “annual” and inserting “biennial”;

(3) by striking “fiscal year” and inserting “biennium”; and

(4) by striking “that year” and inserting “each odd-numbered year”.

(i) QUARTERLY BUDGET REPORTS.—Section 308 of such Act (2 U.S.C. 639) is amended by adding at the end the following new subsection:

“(d) QUARTERLY BUDGET REPORTS.—The Director of the Congressional Budget Office shall, as soon as practicable after the completion of each quarter of the fiscal year, prepare an analysis comparing revenues, spending, and the deficit or surplus for the current fiscal year to assumptions included in the congressional budget resolution. In preparing this report, the Director of the Congressional Budget Office shall combine actual budget figures to date with projected revenue and spending for the balance of the fiscal year. The Director of the Congressional Budget Office shall include any other information in this report that it deems useful for a full understanding of the current fiscal position of the Federal Government. The reports mandated by this subsection shall be transmitted by the Director to the Senate and House Committees on the Bud-

et, and the Congressional Budget Office shall make such reports available to any interested party upon request.”.

(j) COMPLETION OF HOUSE ACTION ON REGULAR APPROPRIATION BILLS.—Section 309 of such Act (2 U.S.C. 640) is amended—

(1) by striking “It” and inserting “Except whenever section 300(b) is applicable, it”;

(2) by inserting “of any odd-numbered calendar year” after “July”;

(3) by striking “annual” and inserting “biennial”; and

(4) by striking “fiscal year” and inserting “biennium”.

(k) RECONCILIATION PROCESS.—Section 310 of such Act (2 U.S.C. 641) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “any fiscal year” and inserting “any biennium”;

(2) in subsection (a)(1), by striking “such fiscal year” each place it appears and inserting “any fiscal year covered by such resolution”; and

(3) by striking subsection (f) and redesignating subsection (g) as subsection (f).

(l) SECTION 311 POINT OF ORDER.—

(1) IN THE HOUSE.—Section 311(a)(1) of such Act (2 U.S.C. 642(a)) is amended—

(A) by striking “for a fiscal year” and inserting “for a biennium”;

(B) by striking “the first fiscal year” each place it appears and inserting “either fiscal year of the biennium”; and

(C) by striking “that first fiscal year” and inserting “each fiscal year in the biennium”.

(2) IN THE SENATE.—Section 311(a)(2) of such Act is amended—

(A) in subparagraph (A), by striking “for the first fiscal year” and inserting “for either fiscal year of the biennium”; and

(B) in subparagraph (B)—

(i) by striking “that first fiscal year” the first place it appears and inserting “each fiscal year in the biennium”; and

(ii) by striking “that first fiscal year and the ensuing fiscal years” and inserting “all fiscal years”.

(3) SOCIAL SECURITY LEVELS.—Section 311(a)(3) of such Act is amended by—

(A) striking “for the first fiscal year” and inserting “each fiscal year in the biennium”; and

(B) striking “that fiscal year and the ensuing fiscal years” and inserting “all fiscal years”.

(m) MAXIMUM DEFICIT AMOUNT POINT OF ORDER.—Section 312(c) of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended—

(1) by striking “for a fiscal year” and inserting “for a biennium”;

(2) in paragraph (1), by striking “first fiscal year” and inserting “either fiscal year in the biennium”;

(3) in paragraph (2), by striking “that fiscal year” and inserting “either fiscal year in the biennium”; and

(4) in the matter following paragraph (2), by striking “that fiscal year” and inserting “the applicable fiscal year”.

SEC. 704. AMENDMENTS TO RULES OF HOUSE OF REPRESENTATIVES.

(a) Clause 4(a)(1)(A) of rule X of the Rules of the House of Representatives is amended by inserting “odd-numbered” after “each”.

(b) Clause 4(a)(4) of rule X of the Rules of the House of Representatives is amended by striking “fiscal year” and inserting “biennium”.

(c) Clause 4(b)(2) of rule X of the Rules of the House of Representatives is amended by striking “each fiscal year” and inserting “the biennium”.

(d) Clause 4(b) of rule X of the Rules of the House of Representatives is amended by striking “and” at the end of subparagraph (5), by striking the period and inserting “; and” at the end of subparagraph (6), and by adding at the end the following new subparagraph:

"(7) use the second session of each Congress to study issues with long-term budgetary and economic implications, which would include—

"(A) hold hearings to receive testimony from committees of jurisdiction to identify problem areas and to report on the results of oversight; and

"(B) by January 1 of each odd-number year, issuing a report to the Speaker which identifies the key issues facing the Congress in the next biennium."

(e) Clause 11(i) of rule X of the Rules of the House of Representatives is amended by striking "the same or preceding fiscal year".

(f) Clause 4(e) of rule X of the Rules of the House of Representatives is amended by striking "annually" each place it appears and inserting "biennially" and by striking "annual" and inserting "biennial".

(g) Clause 4(f) of rule X of the Rules of the House of Representatives is amended—

(1) by inserting "during each odd-numbered year" after "submits his budget";

(2) by striking "fiscal year" the first place it appears and inserting "biennium"; and

(3) by striking "that fiscal year" and inserting "each fiscal year in such ensuing biennium".

(h) Clause 3(d)(2)(A) of rule XIII of the Rules of the House of Representatives is amended by striking "five" both places it appears and inserting "six".

(i) Clause 5(a)(1) of rule XIII of the Rules of the House of Representatives is amended by striking "fiscal year after September 15 in the preceding fiscal year" and inserting "biennium after September 15 of the year in which such biennium begins".

SEC. 705. AMENDMENTS TO TITLE 31, UNITED STATES CODE.

(a) DEFINITION.—Section 1101 of title 31, United States Code, is amended by adding at the end thereof the following new paragraph:

"(3) 'biennium' has the meaning given to such term in paragraph (13) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(13))."

(b) BUDGET CONTENTS AND SUBMISSION TO THE CONGRESS.—

(1) SCHEDULE.—The matter preceding paragraph (1) in section 1105(a) of title 31, United States Code, is amended to read as follows:

"(a) On or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974), beginning with the One Hundred Seventh Congress, the President shall transmit to the Congress, the budget for the biennium beginning on October 1 of such calendar year. The budget transmitted under this subsection shall include a budget message and summary and supporting information. The President shall include in each budget the following:"

(2) EXPENDITURES.—Section 1105(a)(5) of title 31, United States Code, is amended by striking "the fiscal year for which the budget is submitted and the 4 fiscal years after that year" and inserting "each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years".

(3) RECEIPTS.—Section 1105(a)(6) of title 31, United States Code, is amended by striking "the fiscal year for which the budget is submitted and the 4 fiscal years after that year" and inserting "each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years".

(4) BALANCE STATEMENTS.—Section 1105(a)(9)(C) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(5) GOVERNMENT FUNCTIONS AND ACTIVITIES.—Section 1105(a)(12) of title 31, United States Code, is amended in subparagraph (A), by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(6) ALLOWANCES.—Section 1105(a)(13) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(7) ALLOWANCES FOR UNANTICIPATED AND UNCONTROLLABLE EXPENDITURES.—Section 1105(a)(14) of title 31, United States Code, is amended by striking "that year" and inserting "each fiscal year in the biennium for which the budget is submitted".

(8) TAX EXPENDITURES.—Section 1105(a)(16) of title 31, United States Code, is amended by striking "the fiscal year" and inserting "each fiscal year in the biennium".

(9) ESTIMATES FOR FUTURE YEARS.—Section 1105(a)(17) of title 31, United States Code, is amended—

(A) by striking "the fiscal year following the fiscal year" and inserting "each fiscal year in the biennium following the biennium";

(B) by striking "that following fiscal year" and inserting "each such fiscal year"; and

(C) by striking "fiscal year before the fiscal year" and inserting "biennium before the biennium".

(10) PRIOR YEAR OUTLAYS.—Section 1105(a)(18) of title 31, United States Code, is amended—

(A) by striking "the prior fiscal year" and inserting "each of the 2 most recently completed fiscal years";

(B) by striking "for that year" and inserting "with respect to those fiscal years"; and

(C) by striking "in that year" and inserting "in those fiscal years".

(11) PRIOR YEAR RECEIPTS.—Section 1105(a)(19) of title 31, United States Code, is amended—

(A) by striking "the prior fiscal year" and inserting "each of the 2 most recently completed fiscal years";

(B) by striking "for that year" and inserting "with respect to those fiscal years"; and

(C) by striking "in that year" each place it appears and inserting "in those fiscal years".

(c) ESTIMATED EXPENDITURES OF LEGISLATIVE AND JUDICIAL BRANCHES.—Section 1105(b) of title 31, United States Code, is amended by striking "each year" and inserting "each even numbered year".

(d) RECOMMENDATIONS TO MEET ESTIMATED DEFICIENCIES.—Section 1105(c) of title 31, United States Code, is amended—

(1) by striking "the fiscal year for" the first place it appears and inserting "each fiscal year in the biennium for";

(2) by striking "the fiscal year for" the second place it appears and inserting "each fiscal year of the biennium, as the case may be,"; and

(3) by striking "that year" and inserting "for each year of the biennium".

(e) CAPITAL INVESTMENT ANALYSIS.—Section 1105(e)(1) of title 31, United States Code, is amended by striking "ensuing fiscal year" and inserting "biennium to which such budget relates".

(f) SUPPLEMENTAL BUDGET ESTIMATES AND CHANGES.—

(1) IN GENERAL.—Section 1106(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1), by—

(i) inserting "and before February 15 of each even numbered year" after "Before July 16 of each year"; and

(ii) striking "fiscal year" and inserting "biennium";

(B) in paragraph (1), by striking "that fiscal year" and inserting "each fiscal year in such biennium";

(C) in paragraph (2), by striking "4 fiscal years following the fiscal year" and inserting "4 fiscal years following the biennium"; and

(D) in paragraph (3), by striking "fiscal year" and inserting "biennium".

(2) CHANGES.—Section 1106(b) of title 31, United States Code, is amended by—

(A) striking "the fiscal year" and inserting "each fiscal year in the biennium"; and

(B) inserting "and before February 15 of each even numbered year" after "Before July 16 of each year".

(g) CURRENT PROGRAMS AND ACTIVITIES ESTIMATES.—

(1) THE PRESIDENT.—Section 1109(a) of title 31, United States Code, is amended—

(A) by striking "On or before the first Monday after January 3 of each year (on or before February 5 in 1986)" and inserting "At the same time the budget required by section 1105 is submitted for a biennium"; and

(B) by striking "the following fiscal year" and inserting "each fiscal year of such period".

(2) JOINT ECONOMIC COMMITTEE.—Section 1109(b) of title 31, United States Code, is amended by striking "March 1 of each year" and inserting "within 6 weeks of the President's budget submission for each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974)".

(h) YEAR-AHEAD REQUESTS FOR AUTHORIZING LEGISLATION.—Section 1110 of title 31, United States Code, is amended by—

(1) striking "May 16" and inserting "March 31"; and

(2) striking "year before the year in which the fiscal year begins" and inserting "calendar year preceding the calendar year in which the biennium begins".

SEC. 706. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF APPROPRIATIONS ACTS.

Section 105 of title 1, United States Code, is amended to read as follows:

"§ 105. Title and style of appropriations Acts

"(a) The style and title of all Acts making appropriations for the support of the Government shall be as follows: 'An Act making appropriations (here insert the object) for each fiscal year in the biennium of fiscal years (here insert the fiscal years of the biennium).'

"(b) All Acts making regular appropriations for the support of the Government shall be enacted for a biennium and shall specify the amount of appropriations provided for each fiscal year in such period.

"(c) For purposes of this section, the term 'biennium' has the same meaning as in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(11))."

SEC. 707. MULTIYEAR AUTHORIZATIONS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 (as amended by section 206(a) is further amended by adding at the end the following new section:

"MULTIYEAR AUTHORIZATIONS OF APPROPRIATIONS

SEC. 318. (a) POINT OF ORDER.—(1)(A) It shall not be in order in the House of Representatives or the Senate to consider any measure that contains a specific authorization of appropriations for any purpose unless the measure includes such a specific authorization of appropriations for that purpose for not less than each fiscal year in one or more bienniums.

"(B) For purposes of this paragraph, a specific authorization of appropriations is an authorization for the enactment of an amount of appropriations or amounts not to exceed an amount of appropriations (whether stated as a sum certain, as a limit, or as such sums as may be necessary) for any purpose for a fiscal year.

"(2) Paragraph (1) does not apply with respect to an authorization of appropriations for a single fiscal year for any program,

project, or activity if the measure containing that authorization includes a provision expressly stating the following: 'Congress finds that no authorization of appropriation will be required for [Insert name of applicable program, project, or activity] for any subsequent fiscal year.'

(3) For purposes of this subsection, the term 'measure' means a bill, joint resolution, amendment, motion, or conference report.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 317 the following new item:

"Sec. 318. Multiyear authorizations of appropriations."

SEC. 708. GOVERNMENT STRATEGIC AND PERFORMANCE PLANS ON A BIENNIAL BASIS.

(a) STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended—

(1) in subsection (a), by striking "September 30, 1997" and inserting "September 30, 2002";

(2) in subsection (b)—

(A) by striking "at least every three years" and inserting "at least every 4 years"; and

(B) by striking "five years forward" and inserting "six years forward"; and

(3) in subsection (c), by inserting a comma after "section" the second place it appears and adding "including a strategic plan submitted by September 30, 2002, meeting the requirements of subsection (a)".

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Paragraph (28) of section 1105(a) of title 31, United States Code, is amended by striking "beginning with fiscal year 1999, a" and inserting "beginning with fiscal year 2004, a biennial".

(c) PERFORMANCE PLANS.—Section 1115 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter before paragraph (1)—

(i) by striking "section 1105(a)(29)" and inserting "section 1105(a)(28)"; and

(ii) by striking "an annual" and inserting "a biennial";

(B) in paragraph (1) by inserting after "program activity" the following: "for both years 1 and 2 of the biennial plan";

(C) in paragraph (5) by striking "and" after the semicolon,

(D) in paragraph (6) by striking the period and inserting a semicolon; and inserting "and" after the inserted semicolon; and

(E) by adding after paragraph (6) the following:

"(7) cover each fiscal year of the biennium beginning with the first fiscal year of the next biennial budget cycle.";

(2) in subsection (d) by striking "annual" and inserting "biennial"; and

(3) in paragraph (6) of subsection (f) by striking "annual" and inserting "biennial".

(d) MANAGERIAL ACCOUNTABILITY AND FLEXIBILITY.—Section 9703 of title 31, United States Code, relating to managerial accountability, is amended—

(1) in subsection (a)—

(A) in the first sentence by striking "annual"; and

(B) by striking "section 1105(a)(29)" and inserting "section 1105(a)(28)";

(2) in subsection (e)—

(A) in the first sentence by striking "one or" before "years";

(B) in the second sentence by striking "a subsequent year" and inserting "for a subsequent 2-year period"; and

(C) in the third sentence by striking "three" and inserting "four".

(e) PILOT PROJECTS FOR PERFORMANCE BUDGETING.—Section 1119 of title 31, United States Code, is amended—

(1) in paragraph (1) of subsection (d), by striking "annual" and inserting "biennial"; and

(2) in subsection (e), by striking "annual" and inserting "biennial".

(f) STRATEGIC PLANS.—Section 2802 of title 39, United States Code, is amended—

(1) in subsection (a), by striking "September 30, 1997" and inserting "September 30, 2002";

(2) in subsection (b), by striking "at least every three years" and inserting "at least every 4 years";

(3) by striking "five years forward" and inserting "six years forward"; and

(4) in subsection (c), by inserting a comma after "section" the second place it appears and inserting "including a strategic plan submitted by September 30, 2002, meeting the requirements of subsection (a)".

(g) PERFORMANCE PLANS.—Section 2803(a) of title 39, United States Code, is amended—

(1) in the matter before paragraph (1), by striking "an annual" and inserting "a biennial";

(2) in paragraph (1), by inserting after "program activity" the following: "for both years 1 and 2 of the biennial plan";

(3) in paragraph (5), by striking "and" after the semicolon;

(4) in paragraph (6), by striking the period and inserting "; and"; and

(5) by adding after paragraph (6) the following:

"(7) cover each fiscal year of the biennium beginning with the first fiscal year of the next biennial budget cycle.".

(h) COMMITTEE VIEWS OF PLANS AND REPORTS.—Section 301(d) of the Congressional Budget Act (2 U.S.C. 632(d)) is amended by adding at the end "Each committee of the Senate or the House of Representatives shall review the strategic plans, performance plans, and performance reports, required under section 306 of title 5, United States Code, and sections 1115 and 1116 of title 31, United States Code, of all agencies under the jurisdiction of the committee. Each committee may provide its views on such plans or reports to the Committee on the Budget of the applicable House."

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on March 1, 2003.

(2) AGENCY ACTIONS.—Effective on and after the date of enactment of this Act, each agency shall take such actions as necessary to prepare and submit any plan or report in accordance with the amendments made by this title.

SEC. 709. BIENNIAL APPROPRIATION BILLS.

(a) IN THE HOUSE OF REPRESENTATIVES.—(1) Clause 2(a) of rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

"(3)(A) Except as provided by subdivision (B), an appropriation may not be reported in a general appropriation bill (other than a supplemental appropriation bill), and may not be in order as an amendment thereto, unless it provides new budget authority or establishes a level of obligations under contract authority for each fiscal year of a biennium.

"(B) Subdivision (A) does not apply with respect to an appropriation for a single fiscal year for any program, project, or activity if the bill or amendment thereto containing that appropriation includes a provision expressly stating the following: 'Congress finds that no additional funding beyond one fiscal year will be required and the [Insert name of applicable program, project, or activity] will be completed or terminated after the amount provided has been expended.'

"(C) For purposes of paragraph (b), the statement set forth in subdivision (B) with respect to an appropriation for a single fiscal year for any program, project, or activity may be included in a general appropriation bill or amendment thereto."

(2) Clause 5(b)(1) of rule XXII of the House of Representatives is amended by striking "or (c)" and inserting "or (3) or 2(c)".

(b) IN THE SENATE.—(1) Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.) (as amended by section 707) is further amended by adding at the end the following:

"CONSIDERATION OF BIENNIAL APPROPRIATION BILLS

"SEC. 319. It shall not be in order in the Senate in any odd-numbered year to consider any regular appropriation bill providing new budget authority or a limitation on obligations under the jurisdiction of the Committee on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond one year and will be completed or terminated after the amount provided has been expended."

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 318 the following new item:

"Sec. 319. Consideration of biennial appropriation bills."

SEC. 710. ASSISTANCE BY FEDERAL AGENCIES TO STANDING COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

(a) INFORMATION REGARDING AGENCY APPROPRIATIONS REQUESTS.—To assist each standing committee of the House of Representatives and the Senate in carrying out its responsibilities, the head of each Federal agency which administers the laws or parts of laws under the jurisdiction of such committee shall provide to such committee such studies, information, analyses, reports, and assistance as may be requested by the chairman and ranking minority member of the committee.

(b) INFORMATION REGARDING AGENCY PROGRAM ADMINISTRATION.—To assist each standing committee of the House of Representatives and the Senate in carrying out its responsibilities, the head of any agency shall furnish to such committee documentation, containing information received, compiled, or maintained by the agency as part of the operation or administration of a program, or specifically compiled pursuant to a request in support of a review of a program, as may be requested by the chairman and ranking minority member of such committee.

(c) SUMMARIES BY COMPTROLLER GENERAL.—Within thirty days after the receipt of a request from a chairman and ranking minority member of a standing committee having jurisdiction over a program being reviewed and studied by such committee under this section, the Comptroller General of the United States shall furnish to such committee summaries of any audits or reviews of such program which the Comptroller General has completed during the preceding six years.

(d) CONGRESSIONAL ASSISTANCE.—Consistent with their duties and functions under law, the Comptroller General of the United States, the Director of the Congressional Budget Office, and the Director of the Congressional Research Service shall continue to furnish (consistent with established protocols) to each standing committee of the House of Representatives or the Senate such information, studies, analyses, and reports

as the chairman and ranking minority member may request to assist the committee in conducting reviews and studies of programs under this section.

SEC. 711. REPORT ON TWO-YEAR FISCAL PERIOD.

Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) determine the impact and feasibility of changing the definition of a fiscal year and the budget process based on that definition to a 2-year fiscal period with a biennial budget process based on the 2-year period; and

(2) report the findings of the study to the Committees on the Budget of the House of Representatives and the Senate and the Committee on Rules of the House of Representatives.

SEC. 712. SPECIAL TRANSITION PERIOD FOR THE 107TH CONGRESS.

(a) **PRESIDENT'S BUDGET SUBMISSION FOR FISCAL YEAR 2002.**—The budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2002 shall include the following:

(1) An identification of the budget accounts for which an appropriation should be made for each fiscal year of the fiscal year 2002-2003 biennium.

(2) Budget authority that should be provided for each such fiscal year for the budget accounts identified under paragraph (1).

(b) **REVIEW AND RECOMMENDATIONS OF THE COMMITTEES ON APPROPRIATIONS.**—The Committee on Appropriations of the House of Representatives and the Senate shall review the items included pursuant to subsection (a) in the budget submission of the President for fiscal year 2002 and include its recommendations thereon in its views and estimates made under section 301(d) of the Congressional Budget Act of 1974 within 6 weeks of that budget submission.

(c) **ACTIONS BY THE COMMITTEES ON THE BUDGET.**—(1) The Committee on the Budget of the House of Representatives and the Senate shall review the items included pursuant to subsection (a) in the budget submission of the President for fiscal year 2002 and the recommendations submitted by the Committee on Appropriations of its House pursuant to subsection (b) included in its views and estimates made under section 301(d) of the Congressional Budget Act of 1974.

(2) The report of the Committee on the Budget of each House accompanying the concurrent resolution on the budget for fiscal year 2002 and the joint explanatory statement of managers accompanying such resolution shall also include allocations to the Committee on Appropriations of its House of total new budget authority and total outlays (which shall be deemed to be made pursuant to section 302(a) of the Congressional Budget Act of 1974 for purposes of budget enforcement under section 302(f) for fiscal year 2003 from which the Committee on Appropriations may report regular appropriation bills for fiscal year 2002 that include funding for certain accounts for each of fiscal years 2002 and 2003.

(3) The report of the Committee on the Budget of each House accompanying the concurrent resolution on the budget for fiscal year 2002 and the joint explanatory statement of managers accompanying such resolution shall also include the assumptions upon which such allocations referred to in paragraph (2) are based.

(d) **GAO PROGRAMMATIC OVERSIGHT ASSISTANCE.**—(1) During the first session of the 107th Congress the committees of the House of Representatives and the Senate are directed to work with the Comptroller General of the United States to develop plans to transition program authorizations to a multi-year schedule.

(2) During the 107th Congress, the Comptroller General of the United States will continue to provide assistance to the Congress with respect to programmatic oversight and in particular will assist the committees of Congress in designing and conforming programmatic oversight procedures for the fiscal year 2003-2004 biennium.

(e) **CBO AUTHORIZATION REPORT.**—On or before January 15, 2002, the Director of the Congressional Budget Office, after consultation with the appropriate committees of the House of Representatives and Senate, shall submit to the Congress a report listing (A) all programs and activities funded during fiscal year 2002 for which authorizations for appropriations have not been enacted for that fiscal year and (B) all programs and activities funded during fiscal year 2002 for which authorizations for appropriations will expire during that fiscal year, fiscal year 2003, or fiscal year 2004.

(f) **PRESIDENT'S BUDGET SUBMISSION FOR FISCAL YEAR 2003.**—The budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2003 shall include an evaluation of, and recommendations regarding, the transitional biennial budget process for the fiscal year 2002-2003 biennium that was carried out pursuant to this section.

(g) **CBO TRANSITIONAL REPORT.**—On or before March 31, 2002, the Director of the Congressional Budget Office shall submit to Congress an evaluation of, and recommendations regarding, the transitional biennial budget process for the fiscal year 2002-2003 biennium that was carried out pursuant to this section.

SEC. 713. EFFECTIVE DATE.

Except as provided by sections 708, 711, and 712, this title and the amendments made by this title shall take effect on January 1, 2003, and shall apply to budget resolutions and appropriations for the biennium beginning with fiscal year 2004.

In section 1(b), at the end of the table of contents, insert the following new items:

TITLE VII—BIENNIAL BUDGETING

Sec. 701. Findings.

Sec. 702. Revision of timetable.

Sec. 703. Amendments to the Congressional Budget and Impoundment Control Act of 1974.

Sec. 704. Amendments to rules of House of Representatives.

Sec. 705. Amendments to title 31, United States Code.

Sec. 706. Two-year appropriations; title and style of appropriations acts.

Sec. 707. Multiyear authorizations.

Sec. 708. Government plans on a biennial basis.

Sec. 709. Biennial appropriation bills.

Sec. 710. Assistance by Federal agencies to standing committees of the Senate and the House of Representatives.

Sec. 711. Report on two-year fiscal period.

Sec. 712. Special transition period for the 107th Congress.

Sec. 713. Effective date.

The CHAIRMAN. Pursuant to House Resolution 499, the gentleman from California (Mr. DREIER) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER).

□ 1615

Mr. DREIER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today along with my colleagues, the gentleman from Minnesota (Mr. LUTHER), the gen-

tleman from Ohio (Mr. REGULA), the gentleman from Ohio (Mr. HALL), the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, the gentleman from Kentucky (Mr. WHITFIELD), the gentleman from Missouri (Ms. MCCARTHY), the gentleman from New Hampshire (Mr. BASS), the gentleman from North Carolina (Mr. JONES), and others who worked long and hard on this to offer a bipartisan amendment, and I underscore the word "bipartisan amendment," to establish a biennial budget and appropriations process and to enhance programmatic oversight, management, efficiency, and performance of the Federal Government.

I would like to specifically commend the hard work of the gentleman from New Hampshire (Mr. BASS), my colleague as I mentioned, who is here on the floor. He has been a strong supporter of this. He is a member of the Committee on the Budget.

This is also, I should say, a recommendation, as we pointed out several times, of the bipartisan Joint Committee on the Organization of Congress back in 1993.

Under a biennial budget process, the President would submit a 2-year budget, and Congress would consider a 2-year budget resolution and 13 2-year appropriations bills during the first session of a Congress. The second session of the Congress would be devoted to consideration of authorization bills and for the very important programmatic oversight of government agencies.

Now, Mr. Chairman, I happen to believe that the enactment of a biennial budget process could lead to the most significant government-wide fiscal reform that we have seen in a quarter century. I am not alone in that belief. President Clinton proposed it in his most recent budget. Vice President Gore proposed it as a key component of his reinventing government reform outlined in the National Performance Review Report.

Governor George W. Bush has stated that biennial budgeting is a reform that needs to be done by the Congress. Let me say that again. We have got President Bill Clinton, the presumptive Democratic nominee Vice President Al Gore, presumptive Republican nominee Governor George Bush of Texas, all agreeing on the need for us to have a biennial budget.

Earlier this year, the Committee on Rules held three separate days of hearings on biennial budgeting where we received detailed testimony from 32 witnesses. I should stress the Committee on Rules held three separate hearings, very important hearings, on the issue of biennial budgeting. Thirty-two witnesses, which included the former House Committee on the Budget chairman and Director of the Office of Management and Budget, Leon Panetta, my former California colleague, the

current director of the Office of Management and Budget, Jack Lew, 10 academics, the Congressional Budget Office, the Congressional Accounting Office, and 17 Members of Congress, which included opponents like the gentleman from Michigan (Mr. SMITH) and the Speaker of the House and the chairman of the Committee on Appropriations, both of whom testified in strong support of this measure.

Let me tell my colleagues that I recently met with our former colleague, Leon Panetta. He feels very strongly about this. He is a strong partisan Democrat. But, remember, he was chairman of the Committee on the Budget. He served as Director of the Office of Management and Budget, and he served as Chief of Staff to President Clinton.

He stated in his testimony "a biennial budget built around a 2-year life of the Congress offers a better way for Congress to commit itself to continuing fiscal discipline and to better planning for the coming years."

Jack Lew stated, "the primary potential benefit from biennial budgeting is that, by concentrating budget decisions in the first year of each 2-year period, time would be freed up in the second year that could be redirected to management, long-range planning, and oversight."

My cochairman of the Joint Committee on the Organization of Congress, our former Democratic colleague, Lee Hamilton, now the head of the great Woodrow Wilson Center here in town said "biennial budgeting would free up Members' time for important work that is now being squeezed out by competing pressures."

Now, this bipartisan amendment, Mr. Chairman, is the product of months of extensive hearings, technical consultation, and legislative drafting. It addresses comprehensive concerns with uncertainty in projections, weakened oversight, and larger supplementals.

There are only two reasons, only two reasons to oppose this amendment. One either wants to maintain the status quo, which has created government shutdowns and a lot of contention late in a session. It breeds that annual conflict, and it enhances the level of cynicism that the people have towards this institution. Or one is one of those who supports the idea of a do-nothing Congress. Let us block any kind of reform that might be coming forward.

I will say that I do not think that we should be doing either of those things. I do not think that we should be maintaining simply the status quo, and this Congress is dedicated to doing everything that it can to bring about major reforms. We have an historic opportunity here, again, the first time that we have had a chance to vote on biennial budgeting; and it is the first time in a quarter century that we could offer such a sweeping reform to this budget process which has created so many problems for us.

So with that, I urge strong support of this bipartisan amendment which I am honored to author.

Mr. Chairman, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Chairman, I rise to claim the time in opposition to the biennial budgeting amendment.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MOAKLEY) is recognized for 20 minutes.

Mr. MOAKLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, although I have the greatest respect for the gentleman from California (Mr. DREIER), my chairman, I believe the biennial system will make our budget process slower and less accurate. A biennial system will make it harder to reach budget agreements because the agreements will have to cover a longer period of time.

Although no one wants to admit it, the pressure to get things finished is what ensures that we address the difficult issues. If Congress did not have that pressure each and every year, we would put off the more controversial issues for later; and that is really no way to govern.

Proponents may argue that authorization bills are crowded off the schedule by appropriation bills. But it is actually policy disputes, not lack of time, that trip up the authorization bills.

According to the Congressional Research Service, Congress spends less than one-fifth of its total floor time on budget bills. Furthermore, we are now in the 15th week of the session, and we have spent only 49 days in formal session.

In addition to slowing things down, biennial budgeting will actually limit oversight. In 1993, the State of Connecticut converted to a biennial budget in order to improve oversight, in order to improve program review. But Connecticut State officials says there has not been any improvement in either of those areas.

There are two reasons for that, Mr. Chairman. Biennial budgeting removes one year of the Committee on Appropriations review, and it shortens the leash on executive branch officials.

It also relies heavily on budget predictions which are notoriously inaccurate. Mr. Chairman, if budget predictions are inaccurate on an annual system, they will be even worse on a biennial system. Decisions will become outdated, and changes will need to be made. But we would be hobbled by an every-other-year system, and our budget will have been slowed down to the point that we could hardly respond.

Congress will be faced with only one choice, pass more supplemental appropriation bills and pile spending upon spending.

Mr. Chairman, I do not need to remind anyone here that supplemental appropriation bills are not a model of fiscal discipline. But there will be no

alternative. Congress will fail to predict every single spending need; and as a result, the need for supplemental appropriation bills in the off years will just skyrocket.

The same is true on the State level. States with biennial budget tend to spend more per capita than States on an annual budget because they have to pass additional appropriation bills to keep up with their budget needs.

Mr. Chairman, history shows that States have learned their lesson. In 1940, 44 States had a 2-year budget cycle. Today, only 21 States have a 2-year budget. Those States that have kept the biennial budgets tend to have a small or mid-sized budget. Mr. Chairman, if the States are the laboratories of democracy, we should avoid this at all costs. The Federal Government's budget is neither small, nor mid-sized.

Mr. Chairman, switching to a biennial budget will have very far-reaching implications for the entire Federal budget. It is a brand-new system, a system that has not worked well for larger States. I would urge my colleagues to proceed cautiously. I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DREIER. Mr. Chairman, I yield myself such time as I may consume.

Let me just say, since 1990, every State that has changed its budget cycle has changed from an annual to a biennial process.

Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I thank the gentleman from California for yielding 2 minutes to me. I rise in strong support of the amendment to create biennial budgets and appropriations.

I would point out that passage of such an amendment will remove the bulk of budgeting and appropriations from election years. It increases government efficiency and encourages more responsive spending. It increases the time and quality of oversight and authorizing legislation. It provides budget stability for the States, many of which were forced to abandon their own biennial budgets because of their growing dependence on annual Federal appropriations.

Indeed, by passing biennial budgeting and appropriations, we would be getting back in sync with the States and we would most likely see a reversal in the trend that was brought up by the gentleman from Massachusetts (Mr. MOAKLEY).

Indeed, this bill is supported by the President, both candidates for President, House and Senate leaders, the Committee on Appropriations chairman in the House and the Senate Committee on the Budget chairman.

For once, we have a truly bipartisan amendment to move this Congress forward into the 21st century so that we can be a body that works on real legislative proposals rather than being totally reactive and being totally controlled by the appropriations process.

Indeed, Mr. Chairman, if my colleagues like omnibus spending bills every year, if they like spending late nights until 1:00 and 2:00 in the morning, if they like turning the appropriations process ultimately over to two or three people, out of the hands of even the appropriators, if they like the system that we have now, which is clearly broken, then they will not support this amendment. But if they believe that we can run Congress better, that we can be a Congress that is bold enough to step forward and change fundamentally its process, then they will support the Dreier amendment.

Mr. MOAKLEY. Mr. Chairman, I yield 3½ minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, the budget conflicts and frustrations of the last 3 years have prompted various proposed procedural fixes for what is mainly a failure of political will and responsibility.

In my view, the most misguided of these proposals is the amendment before us, instituting biennial budgeting and appropriating. This supposed remedy is not only unresponsive to the problem we face, but it actually would weaken Congress' power of the purse and its ability to hold the Executive Branch accountable.

I would like to remind my colleagues that Congress already has the authority to adopt multiyear budget plans and multiyear authorizations. These have been important instruments in achieving advance planning and fiscal discipline. But to go beyond this to biennial budgeting and appropriating would greatly weaken Congress' hand in shaping national priorities and holding the Executive Branch accountable. In fact, annual appropriating is necessary as a complement to multiyear budget plans, to ensure flexibility, responsiveness, and coequal power with the executive.

Under biennial budgeting, Congress would not be able to react as effectively to congressional oversight, GAO reports, Inspector General's reports, research studies, and other findings that bear on the effectiveness of Federal programs. Agencies would have to begin working in late spring on a 2-year budget, the second year of which would not commence for some 28 months. The President and OMB would make budget decisions 22 to 23 months before the beginning of the second year of a budget cycle.

Biennial appropriations could limit the ability of the Federal Government to use fiscal policy to stabilize the economy during economic downturns. There would be pressure to frequently revise 2-year budgets through supplemental after supplemental appropriations bills. We know from experience that these supplemental appropriations are less deliberative and less systematic than regular appropriations bills,

and they are certainly less subject to fiscal discipline and control.

Now, some proponents argue that biennial budgeting would leave Congress more time to conduct oversight of the Executive Branch. That is an ironic claim, for the unique oversight provided through the appropriations process, when agency budgets and performance are gone over line by line, program by program, is one of the most important tools we have in holding the Executive Branch accountable.

Off-year oversight under biennial appropriations would become less intense, less systematic, and most importantly, it would lose the teeth provided by the actual power of decision.

Proponents have talked today about the support from the three most recent Presidents for biennial appropriations, Bill Clinton, George Bush, Ronald Reagan. Why should that surprise anyone? Of course Presidents support biennial budgeting. If that support indicates biennial budgeting is not a partisan issue, it surely makes our point for us that it is an institutional issue. Biennial budgeting would result in a major devolution of power from Congress to the Executive Branch.

We would do our appropriating in the first 9 months of a Congress and become fiscal lame ducks thereafter, with executive agencies less subject to effective scrutiny and direction. That would be a loss, not only for individual Members and individual committees, but it would be a loss for this institution, for our constitutional system of checks and balances, and for the people we represent.

We need to enhance Congress' power and performance in both budgeting and oversight. But moving to biennial budgeting and appropriating would take us in precisely the opposite direction.

I urge my colleagues to defeat this amendment.

□ 1630

Mr. MOAKLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan (Mr. SMITH), and I ask unanimous consent that he be allowed to control that amount of time.

The CHAIRMAN. Without objection, the gentleman from Michigan (Mr. SMITH) will control and yield time on 10 minutes.

There was no objection.

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding me this time, and I yield myself 2 minutes.

In 1940, there were 44 States that had biennial budgets. Today, there are just 20 States that have biennial budgets, with eight of those having biennial legislatures. As we talked to the CRS, as we talked to the executives of budget directors for all of the States, they suggest and claim that a biennial budget transfers power from the legislative branch to the executive branch.

Look, we have not had hearings on this issue. The Committee on the Budg-

et that has jurisdiction on this issue had zero hearings on biennial budgets. The Committee on Rules had three informational hearings. None of the hearings were in Committee on the Budget. Also, we are looking at a situation where, on the 39-page amendment at issue, there have not been hearings anyplace. Informational hearings only in the Committee on Rules.

So if we risk transferring power from the legislative branch to the executive branch, do we really want to charge ahead to make this decision?

Look at this chart. This 20 percent goes to Social Security pretty much on automatic pilot. The Congress has transferred already too much power to the executive branch of government. Medicare, 11 percent, on automatic pilot; Medicaid, automatic pilot; other entitlements, 14 percent, automatic pilot; interest on automatic pilot. Only Defense and the other 12 appropriation bills that represent less than 40 percent of the total budget is in the control of the Congress, and I think we have to be very careful as we move ahead.

The result of the congressional majority, whether it is a Republican or a Democrat, will find it far more difficult and perhaps impossible to pass agenda-setting legislation, like tax cuts, tax increases, whatever, if we lose reconciliation in the Senate.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise today in opposition to this amendment on biennial budgeting. I am concerned that in our haste to push forward this type of legislation we are overlooking unintended consequences that will drastically affect our budget process.

Despite today's projections of enormous surpluses, these numbers will invariably rise and fall with the economic cycles, with emergencies and other factors that, frankly, are outside of Congress' immediate control.

Last week, CBO updated their projections to show a \$40 billion on-budget surplus, which is an increase of \$14 billion from their estimate of last month. Over the last 4 years, CBO incorrectly estimated the deficit or surplus for the upcoming fiscal year by \$99.5 billion. Given these inevitable fluctuations of our economy and Federal revenues, Congress needs every tool at its disposal to ensure that there are sufficient surpluses each year to meet its target for tax cuts and for debt reduction.

One of the supposed benefits of biennial budgeting is to provide additional time to focus on oversight. The truth of this whole matter is that most experts believe otherwise. They believe that biennial budgeting actually reduces oversight. One of the most important tools that we have in this House, in holding the executive branch accountable, is the appropriations process. Oversight is best accomplished

when the agencies are dependent on Congress for funding in the near term and, therefore, more responsive to Congress' intentions.

The President, the executive branch and his agencies, will be less inclined to work with Congress once they receive their funding. In effect, it turns the Members of the House into fiscal lame ducks.

Further, with no regular appropriations bills in the second session, Congress would be forced to consider massive supplemental bills or correction bills to take care of changing priorities, unanticipated events, and emergencies. I truly believe biennial budgeting is not the most effective way to solve our frustrations in the appropriations process.

Mr. DREIER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. LUTHER), a very able coauthor of this bipartisan amendment.

Mr. LUTHER. Mr. Chairman, before coming to Congress 5 years ago, I served in the Minnesota legislature for 20 years working on 2-year budgets. From that experience, there is no question in my mind that a 2-year budget is a better process. It would also, as has been pointed out, allow time for other important nonbudget issues. I think we all know the number of issues that are not going to be dealt with this year because we are, again, working on budget issues.

Proponents of biennial budgets have already stated the arguments that I agree with in terms of fiscal management, oversight, and cost effectiveness. But I also believe biennial budgets will add to long-term planning and it will allow us an easier time of making the budget cuts necessary to meet today's and tomorrow's needs.

What is happening today is that we argue the same issues year after year but still have a very difficult time meeting the future needs of our Nation because we are unwilling oftentimes to cut the kinds of things we thought were important years ago. The biennial budget process, I believe, would make it easier to make those difficult decisions.

Due to the initial closing costs associated with shutting down many programs, it is hard to see a lot of savings when we are looking at just 1 year. But if we look out 2 years, we can see the substantial savings. And that is the experience that I had when I worked on 2-year budgets in the Minnesota legislature.

Successful families and businesses do a lot better than 1-year budgets, they plan into the future, and I think it is time we get that kind of thinking here in Washington.

I respect many of the opponents of this amendment, certainly the gentleman from Massachusetts (Mr. MOAKLEY) and the others, and I respect those arguments. But based on the experience I have had working with both 1-year and 2-year budgets, there is no question in my mind that while biennial

budgets may not be the total solution, they move us in the right direction.

Mr. DREIER. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the very able coauthor of this amendment.

Mr. WHITFIELD. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of H.R. 853, the Comprehensive Budget Process Reform Act and the biennial budgeting amendment thereto. Both the underlying budget reform bill and the biennial budgeting amendment are the result of extensive study and deliberation during a process characterized by bipartisan cooperation.

The changes in the reform bill and the biennial budget amendment changes address long-standing inefficiencies which hamper the work of Congress and Federal agencies. Each year the Congress is so consumed by the budget process, by the appropriation process, we end up with omnibus bills. We do not know what is in there. This bill increases the accountability for Federal spending, promotes fiscal discipline and encourages long-term planning. It also preserves the progress we have made in reducing the public debt by requiring a vote on legislation that increases the debt.

In my view, the most necessary reform which we will consider today is the biennial budget amendment. Biennial budgeting was a key recommendation of the 1993 Joint Committee on the Organization of Congress and the Vice President's National Performance Review, and as has been said earlier, President Reagan supported it, President Bush supports it, President Clinton supports it, Vice President GORE supports it, Governor George W. Bush of Texas supports it, and I believe that is what we should do as well.

Critics of biennial budgeting allege that a 2-year cycle will reduce the leverage Congress exercises over Federal agencies through the appropriation process, resulting in a shift of power from Congress to the executive branch. I believe the opposite is true. Currently the budget process detracts from Congress' ability to conduct programmatic oversight and reauthorization.

Mr. Chairman, I urge support for the amendment and the reform bill.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 3 minutes.

Can my colleagues imagine that 4 to 5 months after a new Congress is elected in November that they are going to be asked to analyze and evaluate and decide on a 2-year budget? What we are doing, again, by forcing a new Congress into that position, is transferring power to the executive branch.

On oversight, I served in the administration, and it is my firm conviction that the administration, the agencies, the Departments, are much more respectful and responsive to Congress at budget time. If we allow the administration to have this longer leash, a longer leash because they are only obli-

gated to come to Congress half as often, we are going to see an extra transfer of power and a further weakening of the legislative branch.

The authorizing committees are not affected by a 2-year budget. They already have 2-, 3-, 5-year authorization bills. They are the committees that should be doing the greatest part of that work in terms of oversight; evaluating how the administration is performing and assuring that the taxpayers get their money's worth.

Mr. Chairman, does anyone believe Members facing reelection will spend their time going over the dry details of Federal programs? With those States that have biennial budgets, every one of those States comes in for a second year modification of that budget with huge supplementals. Does anybody believe that Members that have 2 years to go or 18 months to go on a new budget are going to be able to get a quorum in those authorizing committees?

Look, I plead with this Chamber. Let us evaluate this idea. Let us not rush into a situation that may very well weaken the legislative branch, which has already been weakened. We have an executive branch that is now passing more laws in the form of promulgated rules than actually the legislature passes. Let us evaluate this idea. Let us have long hearings to make sure that we are not losing further control. Let us have the kind of review that is necessary to consider this kind of dramatic change, after 200 years of annual budgeting. Let us not jump into something new in a 2-year budget that is going to weaken the legislative branch.

Mr. Chairman, I submit for the RECORD an article in Roll Call written by me dated February 28.

ENTITLEMENT REFORM THE WAY TO GO

For 224 years, Congress has wrestled with the budget. As an ex-wrestler and current Budget Committee member, I know that can be both strenuous and challenging.

This has led some Members to seek a "quick fix" in an attempt to end the annual struggle. Biennial budgeting, however, is a mirage that distracts us from the real budget problems we face.

Biennial budgeting would be an enormous change in our budget processes, the biggest since at least 1974. The effects on the budget struggle would be far-reaching and very largely negative from the Congressional perspective. Biennial budgeting will deprive Congress of much of the leverage it needs to compete equally with the administration. Specifically, Congress gives up:

Reconciliation in off years. The Congressional majority could lose much of its power in election years to use reconciliation. This will endanger its priorities in election years and would rule out the House tax cut strategy for this year.

Congress could include multiple reconciliation instructions in a biennial budget resolution, but this deprives Congress of flexibility needed to react to changing political and economic needs. The majority would have to fashion its political strategy for the next two years just three months after the preceding election.

Control over the agencies. The annual budget process allows Congress to express its will to government agencies. I know that we were more eager to cooperate with Congress

at budget time when I was a member of the Nixon administration. Biennial budgeting will reduce our leverage to hold agencies accountable and encourage defiance.

Budget accuracy and flexibility. Economic forecasting is highly uncertain. The Congressional Budget Office estimate for fiscal 2000 two years ago was for a \$70 billion unified budget deficit. That's \$240 billion off the current fiscal 2000 estimate of a \$170 billion unified budget surplus. The estimate has shifted by \$40 billion just since October 1999.

This uncertainty means the President would bargain for high second-year spending, and we would frequently need or be tempted to reopen the budget. When we reopen the budget, we would find ourselves with little leverage against a pre-funded administration that can resist unwanted budget modifications with near impunity. When revenue is lower or spending is higher than projected, the pressure to increase fees, taxes and borrowing, rather than cut the administration, would be considerable.

Leverage over spending. Congress will inevitably grapple with supplemental spending requests in the off years. In the absence of pressure to produce a complete budget, an administration will always have poll-tested and politically motivated requests in off years that will be hard to fend off in the absence of broader budget issues.

As a result, we will pass supplemental appropriations bills in most years that will grow as Members add their own pet election-year projects. All of this threatens even the very modest spending restraint that we've been able to exercise over the last five years.

I find it surprising, then, to hear of growing support for moving from our current annual budget to a biennial budget process. It does seem sometimes that we are on a budget treadmill that never stops. There is no solution, however, in ducking our responsibilities to exercise the power the Constitution grants us. Power atrophies unless it is used, that is what will surely continue to happen to Congressional power is we adopt biennial budgeting.

Members interested in getting a handle on the budget should focus on substance rather than process. The truth is that the discretionary portion of the budget—which is the substance of the 13 annual appropriations bills—makes up just one-third of total federal spending.

The rest of the spending—chiefly, entitlement programs—is on automatic pilot and rising faster than inflation. This growth in entitlement spending puts enormous pressure on the other parts of the budget and will inevitably necessitate higher taxes or a return to excessive government borrowing.

Acting promptly and boldly will bring benefits as well. The unremarked secret of our current budget surplus is the welfare reforms enacted in 1996 and the Medicare changes enacted in 1997. To be blunt, we should still be in deficit without these reforms. But in both cases, one could also argue that the programs have been strengthened.

I have long believed that there are similar opportunities to improve our largest entitlement, Social Security, which is now 23 percent of total federal spending. As chairman of the Budget Committee Task Force on Social Security, I helped develop 18 unanimous and bipartisan findings that could serve as the basis for reform.

After the completion of the task force's business, I also introduced the bipartisan Social Security Solvency Act (H.R. 3206), which is scored to keep Social Security solvent based on these findings.

The effect of this reform (or of similarly reforms such as the 21st Century Retirement Act (H.R. 1793)) would be to dramatically reduce the growth of government spending for

decades to come. The charts (not shown here) indicate how significant reform can be.

The first chart shows that federal spending will rise to nearly 35 percent of the nation's gross domestic product without changes in our entitlement programs, about 75 percent higher than it is today. Needless to say, giant tax increases will be needed to sustain this level of spending.

In contrast, the second chart shows what could happen if we simply adopt the Social Security Solvency Act. Under this scenario, we would experience a gradual reduction in federal spending as we shift to a retirement system based partly on worker-owned accounts starting at 2.5 percent of income and partly on traditional government-paid benefits.

This legislation would also fully restore the program's shaky finances and create opportunities for workers to live better in retirement by making full use of the power of compound interest.

This is not easy work. But if we do nothing, taxes will have to rise to the equivalent of 40 percent of payroll by 2040 to pay for Social Security, Medicare, and Medicaid. Social Security and our other entitlement programs are complicated and alternation carries political risk.

The benefits from this effort, however, will also be substantial. Sound reforms will allow Congress to master the federal budget where gimmicky process reforms such as biennial budgeting are bound to fail.

Mr. DREIER. Mr. Chairman, may I inquire of the Chair how much time is remaining on all sides here?

The CHAIRMAN. The gentleman from California (Mr. DREIER) has 8½ minutes remaining, the gentleman from Massachusetts (Mr. MOAKLEY) has 2½ minutes remaining, and the gentleman from Michigan (Mr. SMITH) has 3 minutes remaining.

Mr. DREIER. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. YOUNG), and let me just say that it has been an honor to work with the chairman of the very important Committee on Appropriations, who has long been a great champion of this issue of biennial budgeting.

Mr. YOUNG of Florida. Mr. Chairman, I disagree with the argument that I just heard about weakening the appropriations process, or weakening the House. I believe that we actually strengthen the position of the United States Congress in our separation of powers, in our separate but equal branches of government, by providing oversight of the hundreds of billions of dollars spent by the agencies of the Federal Government.

Now, if we do not have time to do oversight, we are not strengthening the position of the House of Representatives or the Congress in that whole process. I referred to this chart earlier, and I would ask the Members to look at it again. All of the days and weeks colored in red are days that have gone past, that have expired, that are gone before the Committee on Appropriations ever got a budget allocation.

Now, we cannot assign 302(b) allocations to our subcommittees until we get a 302(a) allocation that comes from the budget resolution.

□ 1645

When we lose more than half of the year before we can even begin to make

our allocations, we are losing valuable time in getting appropriations bills considered, passed in the House and the Senate, and approved by the President of the United States. We run out of time and do not have adequate time for negotiations with the Senate or the President, and we do not have time to do the oversight.

And they say, well, do the oversight over here. That is fine, and we do some oversight during this period. But we need to see the President's budget and we need to see the resolution of the Committee on the Budget so we know what kind of oversight we are supposed to provide.

We do a pretty good job as appropriators in oversight. We eliminate a lot of the wasteful programs. There is a lot more to be done. We eliminate a lot of duplicative programs. There is a lot more to be done. And if we had more time to apply to this job rather than having to rush and rush and hurry to get the appropriations bills done before the end of September, we could do more oversight. We could strengthen the hand of the United States House of Representatives and the United States Congress as we deal with the executive branch of Government.

The branches of Government are supposedly, under our Constitution, separate but equal. It seems that in recent years, the executive branch has become more equal than any other branch, for a lot of reasons. One reason is the confusion that we created in the budget process that was put into effect in 1974. That cost us time and cost us the ability to do the real oversight that we ought to be doing.

So I am a supporter of biennial appropriations, and I know a lot of my colleagues on the Committee on Appropriations are also supporters. I also know that a lot of my appropriating colleagues are not. But I think it is a good move and I think we ought to support this.

While there is a difference of opinion on the Committee on Appropriations, for a number of reasons, it is my opinion, having served on this committee for 27 years that, prior to the time that we had limitations put on us by the Budget and Impoundment Control Act, we had more time to do better oversight. But once the budget act was put into effect and we were given dates that were not realistic as far as appropriations were concerned, we lost a lot of the time that we could use in oversight and in appropriating.

So I would just ask the Members to think about this seriously and consider giving us the opportunity to have time to do this oversight and do it properly by supporting this amendment.

Mr. SMITH of Michigan. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of our Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one of the gravest responsibilities that is given to us in Congress is the power to declare war. We have the power to raise armies and navies. We have the power to regulate them. And we have the power to determine when they will be put in the field, when young men and women will be put in harm's way to protect the interests of this country.

Frankly, we do not exercise that power very well. We have the War Powers Act, which gives the President presumptive authority to dispatch troops into conflict; and we have the power to recall them by passing a resolution of dubious legal status. We rarely exercise it. In the 18 years I have been here, I think we have used it twice.

One restraint we have is the knowledge on the part of the President and the executive branch that every year, every year, they must come here hat in hand and ask us to fund the defense budget of this country. And if they dispatch troops, under the biennial budget, they will have \$600 billion to spend, they will have twice the amount that we will appropriate this year in our defense budget and a 2-year lapse of time before they have to come up here and account for how they have spent and used that money.

Unless we have better controls on how we are going to dispatch troops to combat and commit our forces, I do not think we need biennial budgeting. It is one of the few limits we have, however we may exercise it, upon the use of our military in foreign theaters.

I think we should retain that short leash, that 1-year appropriation, to remind the executive that he still must come to Congress for the authority to put our men and women in harm's way.

Mr. MOAKLEY. Mr. Chairman, would the Chair be kind enough to inform all parties of the remaining time?

The CHAIRMAN. The gentleman from Michigan (Mr. SMITH) has 1½ minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 2½ minutes remaining. The gentleman from California (Mr. DREIER) has 4½ minutes remaining.

Mr. MOAKLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, while I understand the frustrations sometimes we have with the budget process, I come from a State that had biennial budgets. They did not work very well. Let me tell my colleagues why they did not work very well.

In that off year, we talk about having review and oversight. Well, when we do it in the off year, what I found is that it does not work very well, it has no teeth.

It was a time when that oversight is less systematic, it is less intense and, again, it really does not have any teeth. In fact, most of the time it did not happen. So it does not work very well.

This is only chance we have to sit down every year and go over those budgets item by item and agency by agency. And again, by my experience, biennial budgets do not work very well.

If we want to experiment, let us experiment with it. But this is a time that we should not change the process because there is not the oversight that happens in those opposite years.

Mr. DREIER. Mr. Chairman, I yield 1½ minutes to my very good friend, the gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise today in strong support of the Dreier amendment to replace our current time consuming, bloated, and inefficient budget process with the biennial budgeting.

I believe in our budget leaders, Democrat and Republican alike. But the fact is, after being here for so many years, we have got to change the system. We have got to make some reforms. We are going to elect a new President in November, and let us start it out in a correct manner.

When we do this, we are going to be fighting over surpluses and priorities rather than fighting over deficits in the past. And the amount of time spent on the annual appropriations bills both in committee and on the floor leaves us significantly less time to engage in needed oversight activities and enact authorization bills.

Congress routinely funds unauthorized programs because we do not have time to take up the authorization legislation.

For fiscal year 2000, appropriations were provided for 137 programs whose authorization had expired, providing \$121 billion for programs that lacked authorization. This is simply wrong.

Part of responsible governing includes funding programs that have gone through the authorization process. Biennial budgeting will allow us time to review and fund programs that merit taxpayers' dollars. That is what the people at home want. They want fairness. They want equity.

Let us have a 2-year budget rather than a 1-year budget, and we will get a lot more done and we will save a lot more taxpayers' dollars.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, we have problems with budgets projections. It should be obvious to everybody how far off our projections are 1 year in advance, let alone 2 years in advance.

Two years ago, CBO projected a \$70 billion deficit for the year 2000. The current estimate is that there will be a \$170 billion surplus. That is a \$240 billion difference.

Budget inflation. Agencies will deal with uncertainty in two year budgets by padding their budget request. This will result in more spending.

Mr. Chairman, Congress has had annual Federal budgets since 1789. Our

present budget problems have nothing to do with annual budgets. Our present budget problems have to do with the willingness of Members to take the time to make the effort to oversee and review spending bills in the United States Congress.

When it comes to giving taxpayers their money's worth, whether the budget is 2 years or 1 year, there will be no difference unless there is a willingness of Members to review programs that need to be reviewed. The authorizing committees that now have 2-, 3-, 5-year authorization bills now have the time available to do that.

What is going to happen with an election year when Members want to go home if there is no budget to pass? I urge Members to vote against this amendment.

Mr. DREIER. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington (Ms. DUNN), one of the able coauthors of this amendment.

Ms. DUNN. Mr. Chairman, I rise today in support of the amendment offered by my friend, the gentleman from California (Mr. DREIER), to require a biennial budget.

When the gentleman from California (Mr. DREIER) and I served together on the Commission to Reform the House of Representatives in 1993 and 1994, we came out with some pretty important recommendations that then were passed into law when we took over the running of the Congress, for example, the Open Meetings Act, the first ever private audit of the House of Representatives, reduction of staff and committee by a third, which allowed us to run this body at \$200 million less than the other party had run it the year before.

But the most important of all of those recommendations is the one that is being considered today on the floor, and that is implementing a biennial budget. It will bring us much more value for our tax dollar by allowing us to focus more on the efficiency of Government and the scrutiny that Federal programs should receive. Biennial budgeting will bring greater trust in Government.

By allowing greater deliberation over budgeting by the legislative bodies, we can assure our constituents that their tax dollars are being spent wisely and judiciously.

I urge my colleagues to support this amendment.

The CHAIRMAN. The gentleman from California (Mr. DREIER) has 2 minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 1½ minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has the right to close the debate.

Mr. DREIER. Mr. Chairman, the gentleman from Massachusetts (Mr. MOAKLEY) has the right to close?

The CHAIRMAN. As representing one of the committees managing the bill, the gentleman from Massachusetts (Mr. MOAKLEY) has the right to close the debate, as the gentleman from

California (Mr. DREIER) is seeking to amend the committee's bill.

Mr. DREIER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, this amendment has a great deal of common sense to it. There are a number of statements that have been made that I think need to be refuted.

This argument that the gentleman from Michigan (Mr. SMITH) is making about oversight, biennial budgeting dramatically enhances the ability to have oversight.

The subcommittee of the gentleman from Alabama (Mr. CALLAHAN) can continue with its oversight and appropriations. But, also, we very much want to have the authorizers spend time on oversight.

It is a constitutional responsibility which, unfortunately, we do not get to do enough of now because we spend so doggone much time on all of these budget disputes that are going on.

This argument that has been made about this transfer of authority down to the executive branch, Jack Lew, a great protege of the gentleman from Massachusetts (Mr. MOAKLEY), who is now our Director of the Office of Management and Budget, said in his testimony, "While I respect the concern of those who believe that biennial budgeting will shift power between the two branches, I don't share this concern. I do not believe that, under biennial budgeting, executive branch officials would become less responsive to Congress. That is because biennial budgeting would not alter the fundamental reality that, under the Constitution, Congress has the power of the purse."

Dan Crippen, who is the Director of the Congressional Budget Office, stated, "It seems unlikely that agencies would be less responsive to the Congress simply because they would be requesting regular appropriations every other year. Also, a biennial budget cycle by setting aside some time for Congressional action on oversight and authorizing legislation might relieve the appropriation process of time-consuming debates on substantive policy issues, which could actually improve congressional control of spending."

That is what we are trying to get at.

Mr. Chairman, this is the most sweeping reform in a quarter century. It makes so much sense. We have got everyone who is now in the White House and seeking the White House in support of this. We have bipartisan support. The chairman of the Committee on Appropriations, the Speaker of the House, many of the cardinals, many Democrats have joined in support of it.

We should provide this very, very key to the reform of the budget process. I urge an aye vote.

□ 1700

Mr. MOAKLEY. Mr. Chairman, I yield myself the balance of my time. I think the gentleman just made the argument why Presidents want this. It

gives them an advantage. Every President wants it. Jack Lew who works for the President is doing a great job carrying out the President's orders because the President knows that it would have the legislature up against the wall in the off years.

Mr. Chairman, I call to the Members' attention an editorial from yesterday's Washington Post urging the defeat of this amendment, "Fleeing Hard Choices." I urge a "no" vote on the biennial budget amendment.

[From the Washington Post, May 15, 2000]

FLEEING HARD CHOICES

The House this week may take up a proposal to shift to biennial budgeting. The bad idea suggests that even the members are disgusted with the duplicitous farce in which they now annually engage. It is part of a 15-year effort to find a procedural fix that will somehow magically save them from their own indiscipline. But process can't solve the problem, and as with so many of its predecessors, this is a proposal that would do more harm than good.

The problem is not that the budget takes too much time each year, but that the Republicans particularly persist in pretending that they can spend the same dollars twice. They say as they have since 1981 that they can give a large tax cut, protect Social Security and Medicare, increase defense spending and still balance the budget by cutting other domestic spending. But as everyone understands by now, they lack the votes for such cuts even within their own caucus.

The appropriations process once again has begun. To pay for their tax cut plus all the rest, the Republicans would have to cut domestic appropriations by about 10 percent in real terms over the next five years and more thereafter. A cut that large would do real harm to basic functions of government, but the sponsors aren't required to name specific cuts. They strike their pose, then use accounting gimmicks to crawl back from the abyss to which the pose took them. That's what the budget process has become. It's squalid and demeaning, and members can be forgiven for wanting to engage in it only once every two years. But it's their unwillingness to make hard choices from which they flee.

The choices occur within particular appropriations bills. The Democrats want to increase education spending. The Republicans want at least to match them without doing notable harm in an election year to the health and other social programs with which education competes for appropriations. But in part to pay for their tax cut, their budget calls for a freeze on appropriations for health, education, etc., next fiscal year—not even an allowance for inflation. So they already are resorting to gimmicks. Likewise in the so-called VA-HUD bill, in which they propose to cut overall spending while increasing veterans' health spending. But do they want to offend the big cities by cutting the subsidized housing programs for the poor with which the veterans' programs compete?

Myth and math don't match; truth becomes the victims. But biennial budgeting won't solve that; if anything, it will make it worse. The budget would have to be drawn up more than two years in advance. It would be an exercise in guesswork. There would have to be even more adjustments—"emergency" appropriations, with all the opportunities for mischief they present—than now. That's especially so because they would postpone until the second year the discipline from which they would give themselves a bye in the first. No procedural fix can take the place of political will.

Mr. STEARNS. Mr. Chairman. I rise in support of the biennial budget amendment being offered by Mr. DREIER.

I became an original cosponsor of the biennial budget resolution because I want to see our budget process improved. As we all know, the budget process often results in gridlock. In the past we have witnessed train wrecks, government shutdowns, and continuing resolutions.

Although establishing spending levels in Washington will always be contentious, there is strong agreement on adopting a two-year, or biennial, budget process. President Clinton, Senate Majority Leader TRENT LOTT, and other congressional leaders have endorsed this streamlined system.

Under a biennial budget the President would submit a two-year budget resolution during the first session of Congress.

Congress then would consider and pass 13 two-year appropriation bills for the President's signature. The second session of Congress would be devoted to overseeing government programs, considering authorization bills, and working on other legislative priorities. Imagine, members of the House and Senate carefully considering legislative proposals and addressing major issues and emergencies at a deliberate and reasoned pace.

The annual budget process has become a tool of political theatrics yielding poor policies. By adopting a biennial budget spending, decisions would be made in the year prior to an election year, putting policy ahead of politics.

Annual budgeting also encourages using accounting gimmickry and wishful thinking. Lawmakers frequently adopt budgets with ambitious out-year spending restrictions; restrictions that rarely materialize. It is easy to promise to make tough decisions next year, beyond the reach of the current budget. Biennial budgeting doubles the period for specific spending levels and holds decision makers more accountable.

Since 1950, Congress has only twice met the fiscal year deadline for completion of all 13 individual appropriation bills. A two-year budget cycle will introduce greater stability to the funding process, decrease political manipulation of federal spending, and enhance the efficiency of Congress and federal agencies. It would also increase the public's confidence in the ability of the federal government to manage its responsibilities. That is the mark of good government.

Adoption of a biennial budget makes sense because it would be an important improvement to our budget process.

Mr. HORN. Mr. Chairman, I rise in support of Representative DREIER's two-year budget amendment. This amendment would create a two-year budget cycle which would save both time and money. That cycle would enable Congress to increase its oversight of Federal programs and Federal spending.

That is long overdue!

Of the functions, we do well when we engage in law making and helping our constituents who have had difficulties with a complicated bureaucracy.

We all know that we do not do enough to regularly examine how the executive branch implements our laws.

Why don't we do a better job of oversight? For one reason is a lack of time in which to do it. Another reason is that our staffs want to develop policy. It is glamorous. The media also enjoys policy, not the hard work.

The really difficult work is to spend weeks and months of going over a lot of paper and interviews with civil servants and clients. In 1994 we put the government performance and results act in the public laws of our nation.

Those of us on Government Reform have urged our colleagues to meet with their political counterparts in the Executive Branch—the Cabinet Secretary, the Agency Administrator, the Deputy Secretary, the Deputy Administrator, or the various Assistant Secretaries. We need the dialogue between the principal agents of the President's administration and those of us who have been elected by the people.

As we know, the Results Act is off to a very slow start. The General Accounting Office report on Federal agencies' 1999 performance plans found that only 14 of 35 agencies defined a relationship between their program activities and their performance goals. Few agencies explained how they would use their funding to achieve those goals.

Sustained congressional oversight is essential. Congressional appropriators and authorizers are in the best position to provide that oversight. But they must have the time in which to do so. Congress must demand accurate and timely program performance data from the Federal departments and agencies.

That objective will require agency leadership that is strong committed to implementing all phases of the Government Performance and Results Act.

It will require the Office of Management and Budget to require agencies to justify their funding requests by linking them to the agency's program results.

Finally, it will require greater congressional scrutiny to ensure that the job gets done.

It is time for two year budgeting, and it is time to start linking Government spending with the results of that spending.

I strongly urge my colleague to support the Drier amendment.

Ms. MCCARTHY of Missouri. Mr. Chairman, today we have a historic opportunity to fundamentally change the way we do business in Congress. Implementing biennial budgeting will insert new efficiencies and programmatic oversight into the budget process, provide agencies with more decisionmaking stability with which to plan for future needs, and allow the Congress more time to consider policy matters critical to the citizens.

As is often the case with important policy decisions, Congress can benefit from the experiences of the States. My State of Missouri is among the 23 States that have implemented biennial budgeting. Missouri began using a mixed biennial budget process several years ago (1994–1995 biennium).

The day-to-day operations of the State continue to be authorized on a yearly basis, but our capital improvements budget—about \$700 million—operates on a biennium to aid in planning major capital investments and to increase agency oversight.

As with the Missouri experience, a Federal biennial budget will improve both our fiscal and programmatic management, and enable us to become more efficient and more productive. This works in my State; I am here today to say it can also work at the Federal level.

Improvement is vitally needed at the Federal level. Only twice in the past quarter-century has Congress completed action on all 13 appropriations bills by the start of the new fiscal year on October 1.

Since my election to the House of Representatives in 1994, Congress has never gotten all of its budgeting responsibilities completed on time.

In 1995, our inability to act forced a government shut down at the end of the year. In 1996, Congress didn't pass the Budget Resolution until mid-summer and barely completed all of the appropriations bills prior to the fiscal year deadline. In 1997, we didn't bother to pass a Budget Resolution at all.

For the past two years we have only been able to complete work on the annual funding bills by passing an omnibus appropriations bill with less than 24 hours to review a multi-agency appropriation bill containing critically important program funding.

This is no way to allocate precious taxpayer dollars or to do our critically important oversight duties such as finding ways to expand enrollment in Head Start, working in a bipartisan fashion to provide safe streets and schools for our children, identifying strategies to extend the solvency of the Social Security Trust Fund, or debating how we can provide quality health care to all Americans.

Let us take an important step today toward truly reforming how we do our nation's business and adopt biennial budgeting. Biennial budgeting does not eliminate our responsibility to make the difficult choices among spending priorities nor with it cure all the problems within the budget process, but biennial budgeting is a step in the right direction.

I strongly urge the House to adopt my distinguished colleague's amendment to H.R. 853 to establish a biennial budget process, so we can begin a new millennium with a renewed emphasis on cooperation, results, and efficiency.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. DREIER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 217, not voting 17, as follows:

[Roll No. 186]

AYES—201

Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggett
Bilbray
Bilirakis
Billey
Blunt
Boehlert
Boehner
Bono
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert

Camp
Canady
Cannon
Castle
Chabot
Chambliss
Clement
Coble
Coburn
Combest
Condit
Cook
Cooksey
Crane
Cubin
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Doggett
Dreier
Dunn
Ehlers
Ehrlich
English
Ewing

Foley
Fossella
Fowler
Franks (NJ)
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hergert

Hilleary
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kind (WI)
King (NY)
Klecza
Kolbe
Kuykendall
LaHood
Latham
LaTourette
Lazio
Leach
Linder
LoBiondo
Lucas (OK)
Luther
Martinez
McCarthy (MO)
McCrery
McHugh
McInnis
McKeon
Meehan
Metcalfe
Mica
Miller (FL)
Miller, Gary

Minge
Moran (KS)
Morella
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Ose
Oxley
Pease
Peterson (PA)
Pickering
Pitts
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions

NOES—217

Abercrombie
Aderholt
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonilla
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Chenoweth-Hage
Clay
Clayton
Clyburn
Collins
Conyers
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Duncan

Edwards
Emerson
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gephardt
McIntyre
Gonzalez
Gordon
Green (TX)
Gutierrez
Hastings (FL)
Hayes
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hoyer
Hunter
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kingston
Klink
Knollenberg
Kucinich
LaFalce
Lampson
Lantos
Larson

Shadegg
Shaw
Shays
Shimkus
Simpson
Siskisky
Smith (NJ)
Smith (TX)
Smith (WA)
Souders
Stearns
Stump
Sununu
Sweeney
Talent
Tancred
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Upton
Vento
Vitter
Walden
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitefield
Wilson
Young (AK)
Young (FL)

Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lucas (KY)
Maloney (CT)
Manzullo
Markley
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
Meek (FL)
Menendez
Millender
McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Phelps
Pickett
Pommo
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Rogers
Rothman
Roybal-Allard
Rush
Sabo

Sanchez	Spence	Visclosky
Sanders	Spratt	Walsh
Sawyer	Stabenow	Waters
Saxton	Stark	Watkins
Schakowsky	Stenholm	Watt (NC)
Scott	Strickland	Waxman
Sherman	Taylor (MS)	Weiner
Sherwood	Taylor (NC)	Wexler
Shows	Thompson (MS)	Weygand
Shuster	Tierney	Wicker
Skeen	Towns	Wise
Skelton	Trafficant	Wolf
Slaughter	Turner	Woolsey
Smith (MI)	Udall (CO)	Wu
Snyder	Velazquez	Wynn

NOT VOTING—17

Ackerman	McCollum	Rangel
Campbell	McIntosh	Serrano
Engel	McNulty	Stupak
Largent	Meeks (NY)	Thurman
Lowey	Nadler	Udall (NM)
Maloney (NY)	Owens	

□ 1721

Ms. SANCHEZ, Mr. EVERETT and Mr. FORD changed their vote from "aye" to "no."

Messrs. PITTS, BLILEY and SWEENEY changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 106-613.

AMENDMENT NO. 2 OFFERED BY MR. GEKAS

Mr. GEKAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. GEKAS:

At the end of title VI, add the following new subtitle:

Subtitle C—Automatic Continuing Resolution
SEC. 631. AUTOMATIC CONTINUING RESOLUTION.

(a) AMENDMENT TO TITLE 31.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“§ 1311. Continuing appropriations

“(a) (1) If any regular appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year and a joint resolution making continuing appropriations (other than pursuant to this subsection) is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any program, project, or activity for which funds were provided in the preceding fiscal year—

“(A) in the corresponding regular appropriation Act for such preceding fiscal year; or

“(B) if the corresponding regular appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

“(2)(A) Except as provided by subparagraphs (B), (C), and (D), appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year, or in the absence of such an Act, the rate of operations provided for such program, project, or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year.

“(B) The applicable rate of operations for a program, project, or activity for any fiscal year pursuant to this section shall exclude amounts—

“(i) for which any adjustment was made under section 251(b)(2)(A) or section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 before the date of enactment of this section;

“(ii) provided for emergencies for which an exemption from section 251 or 252 of such Act is granted under section 317(c) of the Congressional Budget Act of 1974; or

“(iii) for which any adjustment is made under section 251(b)(2) (C) or (D) of such Act.

“(C) The applicable rate of operations for a program, project, or activity for any fiscal year pursuant to this section shall include amounts provided and rescinded for such program, project, or activity in any supplemental or special appropriations Act and in any rescission bill for that year that is enacted into law.

“(D) The applicable rate of operations for a program, project, or activity for any fiscal year pursuant to this section shall be reduced by the amount of budgetary resources cancelled in any such program, project, or activity resulting from the prior year's sequestration under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 as published in OMB's final sequestration report for the prior fiscal year.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

“(A) the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be, or

“(B) the last day of such fiscal year.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Appropriations and funds made available, and authority granted, for any program, project, or activity for any fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such program, project, or activity during the portion of such fiscal year for which this section applies to such program, project, or activity.

“(d) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(e) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period, or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period; or

“(f) For purposes of this section, the term ‘regular appropriation bill’ means any an-

nual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of programs, projects, and activities:

“(1) Agriculture, rural development, and related agencies programs.

“(2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.

“(3) The Department of Defense.

“(4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

“(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

“(6) The Department of Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

“(7) Energy and water development.

“(8) Foreign assistance and related programs.

“(9) The Department of the Interior and related agencies.

“(10) Military construction.

“(11) The Department of Transportation and related agencies.

“(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

“(13) The legislative branch.”

(b) CONFORMING AMENDMENT.—Section 202(e)(3) of the Congressional Budget Act of 1974 is amended by inserting “and on or before September 30” before “of each year”.

(c) CHAPTER ANALYSIS.—The analysis of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”

(d) EFFECT OF AMENDMENTS.—Nothing in the amendments made by this section shall be construed to affect Government obligations mandated by other law, including obligations with respect to social security, medicare, and medicaid.

The CHAIRMAN. Pursuant to House Resolution 499, the gentleman from Pennsylvania (Mr. GEKAS) and a Member opposed each will control 20 minute.

Mr. YOUNG of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) will be recognized for 20 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Pennsylvania (Mr. GEKAS).

(Mr. GEKAS asked and was given permission to revise and extend his remarks.)

Mr. GEKAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment which we are about to consider is one that we have proposed several times over the last decade, and each year it becomes more important and more salient to the process which we are debating here today, namely, how can we prepare and devise a suitable budget for the people of the United States without the fear of or actual causing of a shutdown of government?

Let me take you back to December of 1990, because it is important to recognize and for the American people to realize what the nature of this debate is.

In that month, you will recall, half a million of our fellow Americans, young people serving in the Armed Forces, were in the deserts of Saudi Arabia, musket in hand, ready to do battle to rescue Kuwait from the Iraqi conquest.

While they were poised, ready to do battle, guess what? The government of the United States shut down. It shut down, and, for all intents and purposes, then the man in uniform, the woman in uniform, was a man without a country, a woman without a country, because the Congress did not have the negotiating ability or brain power to put together a budget to forestall this shutdown of government.

Now, that is the worst example. Since then we have had several shutdowns or threats of shutdown. The most notable one, of course, was in 1995 when the Clinton strategy and the Gingrich strategy collided in such a way that we had a colossal shutdown of government.

What I am asking here today is for us to adopt the amendment which would call for an instant replay on October 1, the first day of the new fiscal year, an instant replay of last year's budget for all those appropriations bills not completed by September 30.

□ 1730

That means that there will never be a shutdown and that the negotiators and the appropriators, like our good friend the gentleman from Florida (Mr. YOUNG), who does a superb job, is not robbed of one iota of his power in the appropriation or his ability to negotiate and to deal with the problems of fashioning a budget, and we would be in a position to proceed with the level of government without interruption.

That is the force and effect of my amendment. Ask the Federal employees and the people who have to run the Federal bureaucracy, the Social Security Administration, the Pentagon, what the people of the United States expect. Like the Smithsonian Institute to stay open for tourism in Washington, do they not have a right to expect that, as the bottom line, government services to be available at all times? Yet we would shut down not just our 500,000 men and women in Saudi Arabia but the Smithsonian Institute as well for the rationale that is employed in the bickering between the White House and the Congress.

I am saying what we want to put in place today is not for this Congress, not for this President. All those who are blindly loyal to the President, this President, or those who are blindly hostile to the President, have to set all of that aside because we are talking about the future budget process for the next Congress and for the next President, not for us who went through these shutdowns and who do not fully understand how it occurred in the first place.

So what we are talking about is good government, better government, for the future. The gentleman from Flor-

ida (Mr. YOUNG) wants a staunch, workable system. I know he does, but he opposes this, I learned from a wonderful letter that he sent to me about his rationale, because in his way of looking at things he, as an appropriator, is robbed of the power to negotiate and to bring about an orderly process, as he sees it, of a budget for the year.

I say the reverse is true. If we can have the instant replay on October 1, with no shutdown, a smooth transition into the new fiscal year, he has more power than ever as an appropriator to be able to put all the pieces together for a new budget and all the time unpressured by emergencies and unpressured by special interests that always have a hand in that mammoth last budget that all of us are forced to support because there is nothing else before us except the threat of a shutdown in government.

I implore my colleagues to vote in favor of the Gekas amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), who is a member of the Committee on Appropriations and also a member of the Committee on the Budget.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for yielding this time.

Mr. Chairman, I rise in total opposition to this amendment. No matter how well written an automatic CR might be, there are always special cases that must be addressed with legislation in order to maintain the continuity of operations. The census is a perfect example, as well as many research programs and construction projects, including those that are related to national defense. In practice, this prevents Congress from being able to pass a CR without any changes to any departments or programs. Because of this reality, any automatic CR will have to be supplemented with other legislation in order to work effectively and to avoid the semi-shutdown impacts across the Federal Government. Therefore, even with an automatic CR, we will be in a situation not that much different than what we currently face.

In addition, I am also concerned about the change in context under which appropriations bills are negotiated with the President. Since the individual appropriations bills would no longer be viewed as must-pass, this has the possibility of prolonging negotiations between Congress and the President.

This amendment will remove the backbone from appropriators because there will be no sense of urgency in passing appropriations bills. I understand the concerns of many of my colleagues about the effects of the threat of a government shutdown but government shutdowns can easily be avoided without an automatic CR. Prior shut-

downs have not occurred over appropriations issues but over extraneous issues. Short-term CRs written as cleanly as possible have always been signed by the President.

While I support the efforts to avoid any appropriations train wreck at the end of the year, I do not believe the automatic CR will accomplish this goal, and I urge my colleagues to oppose this amendment.

Mr. GEKAS. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. ROHRBACHER), a staunch supporter of our concept.

Mr. ROHRBACHER. Mr. Chairman, I rise in strong support of the amendment given us today by the gentleman from Pennsylvania (Mr. GEKAS).

Mr. Chairman, it is time for us to give up, which is the budgetary equivalent of a doom's day strategy, a nuclear weapon. It is time to repeal for all time the threat of a government shutdown. It is not a threat to us as much as it is a threat to the people of the United States. It is time for us to say that we do not have to threaten ourselves and the American people to do our job. We do not have to threaten to do something that everyone agrees is stupid, just to give ourselves enough incentive to do our job and to enact appropriation bills.

Mr. Chairman, whenever we propose to end government shutdowns, we always hear the same thing as we have heard. How can we pass appropriations bills without the threat of a government shutdown? One answer is that almost every year we somehow manage to enact one or more supplemental appropriations bills, even though we know for a fact that the government will not shut down if we pass them.

The larger question is this: Are our appropriation bills so bad that the only thing worse than passing them is the totally irrational alternative of shutting down the government?

I, for one, have more confidence in our appropriators and the appropriations process that it will work than that. Even a step towards sanity would be worthwhile. The main reason that I supported the amendment that we just debated and which failed, which provided for a 2-year budget cycle, is that it would mean that at least every other year there would be no threat of a shutdown, but if we can eliminate the threat for just half the time, which unfortunately we did not do, why should we not go all the way? Why should we not just eliminate this threat?

Let me suggest this: The American people are looking to us. There is no reason for us to threaten the American people, especially there is no reason for us to threaten government employees with the hardship and the burden of government shutdowns just to get us to do our bills. Let us work together. We have proven we can work together this year, but let us put an insurance policy in place that protects the American workers, the American people and government workers; protects them if we

are not doing our job, and let us instead insist that the job get done and not threaten the American people if we do not do it.

Mr. Chairman, I strongly support the Gekas amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for yielding me this time.

Mr. Chairman, this amendment, I think, would be a terrible mistake if we passed it. The Founding Fathers over 200 years ago put this system together, a system of checks and balances, and there are consequences to our actions and also to our inactions. The concern here is that if we fail to pass an appropriations bill or several appropriations bills, that portion of the government will not be funded. That has happened once in my 12 years here and I am told the last time it happened before that was 1986. It was not the end of the world. Did it cause some disruptions? It did. The fact of the matter is, there has to be some discipline in the system, and if we do not get our bills done on time and an automatic continuing resolution takes over, all impetus, all momentum, all consequences to not completing our budget work are lost. It is a Band-Aid approach to a very complicated, delicate balance of power that has been working for over 200 years.

This idea of a 2-year budget, the Founding Fathers rejected that. An automatic continuing resolution, I am sure they did not envision that but they would have rejected it, too. What we do here, if we put the government on automatic pilot, the pilot is the President of the United States and we, as the legislators, our job is to be independent of the executive, fiercely independent.

Now, we already had reform in a recent Congress where we passed a line item veto, where we gave power to the President and the Supreme Court said do not do that, you idiots; do not give that power to the President. That is your power; and they gave it back to us, thank God.

Now we are going to yield more power to the President by putting the government out on automatic pilot. We lose our control of the budget process and the President just runs us around. That is not what we want. We want to maintain our independence. Please defeat this bill.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. GEKAS) for yielding me this time and for his leadership on this issue.

Mr. Chairman, I rise in strong support of this amendment. We need a continuing resolution, an automatic continuing resolution, for one simple reason. Pause and think a moment. We were elected to run the government,

not to stop the government, not to shut it down. The current structure we have in place, and this is no slap at the appropriators for whom I have a great deal of respect, masks two things. The current structure masks either our ineptitude, our failure to come to a reasonable agreement on budget agreements, or it masks our selfishness. The notion that our personal and perceived objectives are more important than the government of the United States, that it is more important that we get our way than it is that we have museums open, that we fund our military, that we send out Social Security checks, some people in this body think their decision-making is so important that it is worth shutting down the government. I disagree with that notion. I think that a continuing resolution maintains the status quo. If one feels that cutting the government is that important, continue the debate and negotiate. If they feel expanding government is important, continue that debate, but in the meantime do not shut down the government. I support the Gekas amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, there is no one in the House that I respect more than the gentleman from Pennsylvania (Mr. GEKAS). I literally have spent hours across the desk from him listening to his philosophy, sort of straining him to tell me some of the great depth of knowledge he has of the great Civil War and his process knowledge of this body.

I would say to the gentleman from Pennsylvania (Mr. GEKAS), I am here today to maybe engage in a colloquy with him to ask him some specific questions.

As the gentleman may know, my niche in Congress is chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, and as a result it is up to me to draft a bill each year to bring to the Members to vote on how much foreign aid we are going to give. This is not a real popular position. For example, I would say to the gentleman from Pennsylvania (Mr. GEKAS), we are in the process of reducing aid to Israel, reducing Israel \$120 million a year, with an agreement with the Israeli government that this is the right direction we should go, but under the Gekas amendment, as I understand it, there would be no room for that reduction in a continuing resolution.

Israel gets all of their money the first 15 days of the fiscal year. So if indeed that is the case, under the Gekas resolution when would I be able to cut foreign aid, which is what I have been doing every single year I have been chairman?

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. The answer is in two parts. First, when next the gentleman meets with the appropriators to sit down for the new budget he can do it but, secondly, I answer the question with a question. What does the gentleman do now if we come to the end of the fiscal year and a continuing resolution temporary for 2 weeks occurs?

Mr. CALLAHAN. Rerestrict that in the resolution. In the continuing resolution, we deny that early disbursement, and I am saying under the Gekas amendment, as I understand it, and I have great respect for the gentleman's tremendous knowledge of this process, but I am saying in my particular case we do not give foreign aid like an entitlement. We give it to countries based upon their needs.

Mr. GEKAS. My answer to the gentleman is what does he do now under a temporary CR? The same thing.

□ 1745

Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of the Gekas amendment to provide for an automatic continuing resolution for those appropriations bills which have not been enacted by the start of the fiscal year.

To respond to our previous distinguished speaker, our response is, get the bills done by the end of that fiscal year.

This amendment offered by the gentleman from Pennsylvania (Mr. GEKAS) responds to the American people, who are tired of watching the spectacle of a possible Federal Government shutdown because of an impasse in budget negotiations between Congress and the President.

This amendment simply prevents what all of us want to see prevented.

Mr. Chairman, there have been 17 government shutdowns since 1977. When this happens, those who bear the real burden of these national embarrassments are not Members of Congress, nor are they those in the upper echelons of the executive branch. Instead, those who pay the price are our senior citizens and our veterans, who rely on receiving their social security and benefit checks on time, and our Federal work force, who find themselves jerked around from one day to the next, sometimes even 1 hour to the next, not knowing or having any control over their only livelihoods.

Let us stop that and support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I have the greatest respect for the gentleman from Pennsylvania (Mr. GEKAS). We are co-chairs on the Biomedical Research Caucus. However, this is just a bad amendment. It is well-intentioned, but I consider this amendment to be the dumbing down of American government.

It means well that we do not want government shutdowns, but what this amendment does is it puts the government on automatic pilot. We might as well pass this and leave town and not come back, because if we have any discrepancy between the executive branch and the legislative branch, nothing will ever get done. All we will do is have automatic CRs that will go one after the other, and we will never take care of policy issues we should be addressing.

Yes, there are times when the government is shut down. We had it during the Clinton administration, we had it during the Reagan administration. Usually the power inures to the executive in that process. Nonetheless, that is how the system works. In the end, we are better off because there is that separation of powers between the branches.

I would encourage my colleagues to oppose this. When we debated this in the Committee on the Budget, I was against it. At the very least, what we should consider is something to do with the essential functions, but not 100 percent, or not a freeze at 95 percent, because we will never do anything around here. We will never make the hard decisions. That is the unintended consequences of what is otherwise a very well-meaning amendment.

I would hope that my colleagues would defeat this, because, as I said, if we pass this, we might as well shut the place down, go home, put the government on automatic pilot, and let the bureaucrats run the operation. I do not think that is what the gentleman from Pennsylvania intends.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, let us go to October 17 of this year. We are here on the weekends, and it is 3 o'clock in the morning. The President has vetoed three or four of our appropriations bills. The Republicans meet, the Democrats meet. We do not know what to do. We are trying to get together.

Sound familiar? That is what happened in 1999, what happened in 1998, what happened in 1997. What do we do? We put everything together in an omnibus appropriations bill for \$500 billion. There is not one person in this body that knew what was in that appropriations bill. We brought it all on the House floor and everybody, exhausted, votes for it.

Is that the way to run a government? That is not the way we should do it. There is so much in-fighting and partisanship near the end, particularly in an election year, that we need some failsafe method. This is what the Gekas amendment does, it fully funds 100 percent of the previous year's budget at the funding levels so we can go home and not have these omnibus appropriations bills that are so awful that all of us are embarrassed to go home after voting for them.

I urge my colleagues to think in terms of protecting their constituents, protecting the integrity of this office. If Members do not pass the Gekas amendment for this continuing level, they are corrupting the process. We need to pass this today.

Mr. Chairman, I rise today in support of the amendment being offered by Mr. GEKAS—the Automatic Continuing Resolution, or CR.

I do so because an automatic Continuing Resolution is a fail safe provisions that would automatically and fully fund the thirteen appropriations measures should any or all fail to be passed into law. In other words, we would be adding a common sense provision to this budget reform measure.

the CR is a simply and reasonable effort to protect America from the kind of partisan political battle that resulted in shutting down the government and suspending essential government services back in 1995. None of us want this to happen ever again. Passage of this amendment would ensure the uninterrupted continuation of vital services like Social Security and Veterans benefits—the CR remove politics from the appropriations process.

The CR provision is actually quite simple and generous: should any of the bills fail to become law by the end of the fiscal year, they would be funded at fully 100 percent of the previous year's funding levels. In other words, there are no cuts and no elimination of programs as a result of passage.

Today, America is not in desperate need of a dire course of action, but one never knows what the future holds. For the good of our country and the peace of mind of her citizens, we should pass into law this common sense insurance mechanism.

As an original cosponsor of this legislation and a long-time supporter of the sentiments behind the CR, I urge my colleagues to vote in favor of this worthy amendment. I also call upon the president to reconsider his position on this issue for the long-term good of the entire country.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LEWIS), the distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate the gentleman yielding time to me, and rise in strong opposition to the amendment offered by my colleague, the gentleman from Pennsylvania (Mr. GEKAS).

It is with some hesitancy that I do so, but he and I had talked more than once about the fact that the Founding Fathers designed this system almost to stimulate confrontation. The body is made up of two parties, and the debate

that takes place between the two parties oftentimes is the healthiest part of the work that we do around here. Sometimes we have a Democratic Congress and a Republican president, and vice versa. Indeed, that dialogue and exchange is very healthy for the process.

The automatic continuing resolution presumes that we cannot get our work done without some way of avoiding that confrontation. Nothing could be worse for our government than that. If we had an automatic continuing resolution in place, there are some pretty dramatic things that could happen in the months ahead. Let me illustrate that point.

The presumption here is that in the 00 year, everything was fine with certain kinds of programming, so we do not need increases for the 01 year. Let me suggest that if the proposal of the gentleman from Pennsylvania were in place, this is what would occur in the defense arena, the area that I have responsibility for appropriating about.

The 01 bill provides for \$19.6 billion for national security above last year's bill. In specific categories, the military would be dramatically impacted by this proposal if it were in place. For example, for military personnel, those people we wanted so desperately to help last year, we would lose \$2 billion; for operations and maintenance, there would be a reduction of \$5.2 billion; for procurement, very important assets for the military, \$8.6 billion. The problem goes on and on.

I would suggest very, very strongly that the Gekas amendment, while carefully thought out by the author, is not what we need in this legislation. Indeed, with this amendment, I would urge all of my colleagues to vote no on the entire bill.

Mr. GEKAS. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Chairman, if we came to the end of a cycle, thinking about those expenditures that the gentleman is talking about for the Pentagon, and we did not have a budget for the military, would the gentleman vote for a temporary CR for 30 days or 45 days? The answer is yes, the gentleman would, and he would be under the same constraints then in not being able to spend.

Mr. LEWIS of California. Taking back my time, the fact is that short-term clean CRs have worked from time to time. It is when we get in confrontations between the administration or between parties that often the process falls apart.

Therefore, I strongly urge my colleagues to oppose this amendment, and if it should pass, to oppose the bill.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. NUSSLE), the author of the overall budget reform system that we are debating generally.

Mr. NUSSLE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I am amazed to hear the debate today, so much discussion about personal and individual power, committee jurisdiction, prerogative, the need to put discipline into a system.

Mr. Chairman, this is not about us, this is about America; We, the people. People come from around the world to see how 260 million people govern a Nation. They do not come here to see how much power the chairman of the Committee on Resources has, they come here to see how it works.

What they cannot believe and what I cannot believe, and what my constituents in Iowa cannot believe, is that if in fact we do come to impasse, that they should be so affected by a government shutdown that everything has to stop because a couple of chairmen, a couple of powerful chairmen, rightfully have an argument, rightfully have a disagreement, and cannot come to an agreement. Therefore, everything has to suffer, everything has to shut down.

The beauty of America is that we have been able to for more than 200 years talk about the power of the people of this country, not individual power of Members of Congress. Let us pass this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT), the distinguished ranking member of the Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Chairman, this amendment is not necessary. It is not necessary as long as we keep our institutional memory and remember what happened among the public the last time we shut the government down. That ought to be impetus enough to get the job done, get the bills passed, and use temporary CRs to breach the gap until we do.

It is not necessary and it is not useful, either. For one thing, it is not good for the institutions, in my opinion. It takes away all incentive for us to enact 13 appropriation bills on time, on schedule, by regular order. It is hard enough for us to do that now. If we pass the CR, it is no sweat, we do not have to get the job done. The automatic CR provision would be there to put \$600 billion of spending on automatic pilot. We could not do our job with impunity.

It is not good budget policy. What this effectively does is turn all existing discretionary appropriations into capped entitlements at this year's rate, because unless they are cut by a majority vote, they remain in effect. This backstops existing spending. It takes away all pressure for us to compromise.

Having said that, I do not think we can begin to imagine all of the possibilities of games playing with the budget if this is adopted, not necessarily in this body, although I am sure we are up to it, but in the other

body, where they have the power of filibuster. A minority of the Senate, by filibuster, can prevent the enactment of regular appropriation bills and leave the program funding levels at the capped entitlement level in the automatic CR.

The President with his veto has all the more power now, if we pass this bill, because he can veto with impunity. He does not have to worry about the government keeping going because the automatic CR will fill the gap.

We do not need any of these factors overhanging the budget process. This amendment solves very little and it raises all sorts of problems. It should be defeated.

Mr. GEKAS. Mr. Chairman, it now gives me personal pleasure to yield 1 minute to my colleague, the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of this amendment. Every year, at the end of the appropriation process, we end up facing the shutdown showdown. Congress and the President disagree on the spending level, and when a stalemate occurs, the threat of a disruptive, costly, irresponsible government shutdown looms ominously over the negotiations.

Who wins those negotiations? The winner is whichever side can blame the other for the shutdown. The politics of who will win and who will get to blame the other side for the shutdown determines the winner. That is no way to run the government.

The gentleman from Pennsylvania (Mr. GEKAS) has a good commonsense solution that says, keep the government running, keep spending bills in dispute constant at the previous year's level. One of the best things about this approach is, as we have heard today, nobody likes freezing things at last year's level. No one likes it. I do not like a freeze, I would like to see lower spending. Others do not like a freeze, they want to see higher spending. The appropriators do not like the freeze, they want to play the role allocated to them of allocating the spending.

The good result of that is that if the Gekas amendment becomes law, there is plenty of pressure from all sides to reach a reasonable compromise, much more likely to be based on policy matters and less likely to be driven by the politics of a shutdown.

I urge a yes vote on this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished chairman of the Subcommittee on Commerce, Justice, and Judiciary, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. I thank the gentleman for yielding time to me, Mr. Chairman.

Mr. Chairman, the passage of this amendment would be an admission by the Members of this body that we cannot do the job our people elected us to do.

We were elected by our constituents, all of us, to come here and pass on

spending and funding the Federal government. Passing this amendment would say, no, we are going to put things on automatic pilot. We do not have the capacity or the ability to pass on individual spending bills. I think that would be a dereliction of our duties.

We would take away the automatic period at the end of the sentence, the October 1 deadline, and therefore these appropriations bills are not must-pass pieces of legislation. We would extend the appropriating process, rather than bring it to a successful conclusion.

Number two, passage of this amendment would put a premium on people opposing and stonewalling and causing inaction. Those who would want to increase spending or those who want to avoid a funding cut for a program or a bill would be automatically strengthened by the existence of the automatic continuing resolution, saying, if we do nothing, the status quo prevails.

□ 1800

Most Members of this body want some change in the status quo, either up or down. Automatic continuing resolution would take away the incentive to make something happen by a deadline. If we remove the deadline of October 1, then I predict nothing will take place. The government will be on automatic pilot. We would have, as the gentleman from South Carolina (Mr. SPRATT) says, capped entitlements. Every program would stay just exactly like it is year in and year out because there would not be the ability in this body to muster a majority of votes to overcome that incentive to do nothing and to cause some change.

So I would hope that the body would reject this amendment by a very large margin because I think the people that elected us sent us here to decide how we spend their Federal tax dollars, not to sit by on automatic pilot and say I am helpless, I cannot do anything.

I think my colleagues are elected to do something. I think they were elected to represent their constituents in deciding how their taxes were spent. If my colleagues adopt this amendment, they are saying to their folks back home, I cannot affect the process. I am putting it on automatic pilot.

Mr. Chairman, I urge a rejection of the amendment.

Mr. GEKAS. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. SHADEGG).

(Mr. SHADEGG asked and was given permission to revise and extend his remarks.)

Mr. SHADEGG. Mr. Chairman, I rise in strong support of the Gekas amendment. Each year, this Congress is faced with a government shutdown. Indeed, as an earlier speaker noted, there have been 17 government shutdowns since 1977. The last speaker made a point that it would be an admission that somehow this would reflect badly on this body.

I want to echo what was said earlier by one of my colleagues from Iowa.

This is not about us. I have great respect for the Committee on Appropriations. They work very hard at doing their job. They sort out the priorities and do it very, very well.

But this is not about us. This is about the American people. Quite simply, the American people deserve better. They deserve to know that, if this Congress, working with the President, cannot come to an agreement, the government will not shut down. They deserve to know that they will not become the innocent victims of our inability to reach an agreement.

Let me ask a simple question. I would make the point that if my wife and I could not come to an agreement on our family budget, would we stop feeding our children? Would we stop paying our light bill? Would we stop paying our mortgage? The answer is no, obviously we would not.

Indeed, this is a reasonable proposal, and the notion that the budget would go on auto pilot and nothing would happen is ridiculous. What would happen is that we would debate the spending bills as we should debate them, on the merits in them, without a gun at our head and being forced to say we must reach agreement by a certain deadline or we will hurt innocent people. The notion of hurting innocent people should not be a part of this debate. What should be a part of it is responsible government.

Mr. Chairman, I urge support for the Gekas amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, I worry that the Members believe that there is some easy way to solve these problems. The reason we do not come to a conclusion is because there are legitimate differences between Members, between parties when we are trying to solve them.

Certainly a continuing resolution that is automatic does not solve it. It just puts it off and puts it off again and puts it off again. It is a way for us to find a deadline to solve the problem.

I am talking about the practical results of how we legislate. If we face a deadline, we solve the problem. If we do not, it goes on and on. I have seen it happen for years. I have seen us come up to a deadline and finally pass the legislation.

If my colleagues pass something like this, they may never get the legislation that they want. So they are making a tactical mistake when they try to pass something and think they are going to solve the problem.

I understand the concern of the gentleman from Pennsylvania (Mr. GEKAS), but that does not answer the concern. It does not solve the problem. Every time we run into a conflict and there is no deadline, we just put it off. That is the nature of the legislative business.

So I say to the Members, we make a serious mistake if we think there is

some easy way to solve this kind of a problem. Our continuing resolutions allow us to solve the problem.

I remember President Reagan getting up and saying, I will never sign another continuing resolution the rest of my career. Well, I do not remember whether he did or did not, but the point was that was a way of solving the problem. He put the continuing resolution on the desk, and he said, this is 2 feet high, and we should not pass something like this. Well, that got us to the culmination of the session and got us through to the next year.

There are all kinds of ways to avoid it. I am sure if we pass something like this, all we will do is eliminate the deadline, eliminate the possibility of solving the problem.

So I would urge the Members to vote against this amendment that is very damaging to our process.

Mr. GEKAS. Mr. Chairman, how much time is remaining, may I ask?

The CHAIRMAN *pro tempore* (Mr. LATOURETTE). The gentleman from Pennsylvania (Mr. GEKAS) has 5½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 3 minutes remaining.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COX).

Mr. COX. Mr. Chairman, I thank the gentleman from Pennsylvania (Chairman GEKAS) for yielding me this time.

I am pleased to rise in support of the Gekas amendment, which will provide a sustaining mechanism so that whatever conflicts and debates might arise between the branches, between the executive branch and the legislative branch, during our annual exercise of allocating our national resources, we will not suffer needless brinksmanship exercises, we will not have budgetary games of chicken, and we will not have wasteful government shutdowns.

In 1986, the Federal Government shutdown, I was working in the White House for President Reagan at the time. That prompted President Reagan to observe that the 1974 Budget Act, which establishes our current budget process was badly flawed. He proposed budget reform legislation which is essentially the Nussle-Cardin bill that we are getting to vote on today.

The only difference between what President Reagan then proposed and the base text that we have on the floor today is that we lack a sustaining mechanism in the base text. That is what the Gekas amendment provides.

I urge my colleagues to vote aye.

Mr. GEKAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I wanted to say to all of those who opposed the amendment on the floor, particularly the ones on our side of the aisle, on the Republican side, that I was elated a few years back when this same proposition came up in the midst of the debate on disaster relief. I was overjoyed when I saw that the gentleman from Florida (Chairman YOUNG) and the gentleman from Ken-

tucky (Mr. ROGERS), others who oppose this legislation, voted in favor of the Gekas amendment of that era. The rationale was exactly the same, and the prospects were exactly the same, and the result would have been exactly the same.

It would have been in operation today had the President not vetoed it. It is the fault of the President that we do not have a continuing resolution, an instant replay concept like the one we are proposing here today. He vetoed the disaster relief program that contained the Gekas amendment of that era.

Now, what I am imploring the Members to consider is to replicate that which was said by the gentleman from Maryland (Mr. WYNN) and the gentleman from Iowa (Mr. NUSSLE) that this is not about this Congress and the makeup of the personalities and egos of this Congress. The gentleman from Florida (Mr. YOUNG) and I are going to be friends way beyond our service in the Congress. But both of us can look back, I would presume, to say that we put some mechanism into play as incumbent legislators for the good of the future of our government, the future of our system, the bolstering of our Constitution.

How anyone can say that it would be automatic pilot has to forget the fact that, when we vote for this amendment, we are saying that is what we want for the American people.

We want a continuing automatic transition until the appropriators can work out a budget. I want this bill to pass, not for me or for the gentleman from Florida (Mr. YOUNG), but I want it to pass for the future Congresses of the United States, long after we are gone, to put something stable and something of which we can be proud to know that, forever and ever, never again will the government of the United States shut down, and particularly will that never occur again when we are poised for some emergency action and then become toothless in the face of the inability of the Members of Congress to come to an agreement.

Let us support the Gekas amendment.

Mr. Chairman, today is a great day for the American people. Soon the House will be voting to approve a measure of which all Americans can embrace and be proud—the "Government Shutdown Prevention Act."

Mr. Chairman, unfortunately, the image of government shutdowns from the 104th Congress remains etched in the mind of the American citizen as shameful—and unnecessary—incidents in our nation's history. As taxpayers, they were incensed that the government would choose not to perform its essential duties. As statesmen, we were all embarrassed to have forsaken our obligations to the American people. While the Republican Congress was blamed for the shutdowns, I believe we were all responsible for this disgraceful exhibition of failed governance: the House, the Senate, Republicans, Democrats, and the President.

Before us today is a message to the American people. An affirmation, if you will, in the

form of an amendment which states that we, the Congress, will not forsake the American people's trust to deliver essential government services and allow for another shameful government shutdown in this fiscal cycle. We will achieve this by voting for my amendment to provide 100 percent of a Fiscal Year's spending levels to continue through the end of the next Fiscal Year, in the absence of a regularly passed appropriations bill or a continuing resolution.

Since my election to the House of Representatives in 1982, I have witnessed eight government shutdowns. The worst of which occurred when our soldiers were poised for battle in the Persian Gulf. It was at this time that I introduced my first government shutdown prevention bill, what I referred to as an "instant replay" mechanism. At the time, I knew I was facing an uphill battle in a long war. After all, the threat of a shutdown is one of the most effective weapons in the arsenal of legislative politics.

However, I remained vigilant with the image in my mind of our fighting men and women ready to sacrifice their lives as they stood poised for Operation Desert Storm without an operating government for which to fight. I pledged never to let that happen again. Today, I and others proudly stand ready to fulfill that pledge as the House prepares to vote on the Government Shutdown Prevention Act Amendment now before us, so that we can send a clear message to the American people that we will no longer allow them to be pawns in budget disputes between Congress and the White House.

Mr. Chairman, without question, we should have enacted the Shutdown Prevention Act years ago. But we did not. So let us restore the public's faith in its leaders by showing that we have learned from our mistakes by enacting this budget reform. I ask for its adoption and urge all members, Republican and Democrat, to vote for its passage, and especially urge the President to support this "good government" reform measure.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to agree with the gentleman from Pennsylvania (Mr. GEKAS). We are friends. I would say to the gentleman from Pennsylvania (Mr. GEKAS), we live and learn. He referred to how I might have voted on an earlier Gekas amendment, but the situation was considerably different then than it is now.

But I have a great difference with the gentleman from Pennsylvania (Mr. GEKAS), as he said this is what the American people want. They want the status quo. Well, I do not believe that. The reason I do not believe that is that every Member in this House was elected by about the same number of people to represent that district and to do what is right for the country. That is where the people speak.

Now, let me tell my colleagues how the people have spoken in just this year alone. What I am holding here is a stack of legal-sized papers. On each of these pages is a specific request made to the Committee on Appropriations,

including requests for changes in the budget and changes in appropriations over last year.

Now, here they are. The Members of Congress have spoken. I hope that they are all listening to this. There are 21,547 requests from Members of this House, mostly to change from the status quo of last year. Now, are the Members that asked for these requests to be considered by the Committee on Appropriations going to be satisfied with the status quo? I do not think so, Mr. Chairman.

To be honest, will the Committee on Appropriations grant every one of these requests? Of course not, because they run close to \$90 billion over last year's budget, so we cannot do all of that.

So one thing that appropriators do is go through these lists, and they try to prioritize based which requests have the most merit. Well, the people of America, through their elected representatives in the House of Representatives, have spoken. They do not want the status quo. They want all these changes over last year. Here is the fact and here are the pages. These are the pages and the requests of all members.

But if we have an automatic continuing resolution in place where we enjoy this status quo that makes life easy for all of us, the people's voice will have been muted because these 21,457 requests will not even be considered, let alone adopted.

Mr. Chairman, I oppose this amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I am in strong support of the amendment offered by the Gentleman from Pennsylvania, and urge all my colleagues to do the same. During 17 of the last twenty budget cycles, there has been some level of budgetary impasse between the Congress and the President. More often than not, these temporary delays go relatively unnoticed because they are tempered by the passage of a Continuing Resolution (CR) that maintains the current fiscal year's spending levels.

Unfortunately, in 1995, the rancor of the budget battles here in Washington were raised to such a pitch, that their consequences ultimately resonated across the nation. As many of you remember, we reached an impasse so insurmountable that no CR could be passed, and the federal government was effectively shut-down. Overnight, the people we were sent here to represent could no longer count on the federal government to provide the services they paid for. Additionally, roughly 1 million federal employees found themselves without a job or a paycheck during one of the busiest commercial spending times of the year.

Mr. Chairman, more than 56,000 federal employees reside in my district just across the Potomac River. They constitute one of my largest constituencies, and are by far one of the most politically astute groups in the Nation. But more important than that, they are the people who process the millions of social security checks, they are the DEA Agents that intercept drugs before they reach our streets, they are the surveyors at the Department of Agriculture that distribute aid to struggling

farmers, and they are the HUD employees who make sure a poor family has its rent covered for the next month.

No one can argue that the differences we have about the federal budget are not of paramount importance. But when the entire federal government is forced to close its door to the American people because of a political dispute in Washington, then we have failed the people we were sent here to represent. I want every member in this August Chamber to keep in mind that when my 56,000 federal employees can't do their jobs, it will be your constituents that will ultimately suffer.

I want to thank Mr. GEKAS for offering an amendment that will provide an automatic CR whenever the political rhetoric reaches such a pitch as to potentially shutdown the Government. I strongly support the amendment and urge all my colleagues to do the same.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time for debate has expired.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. GEKAS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS) will be postponed.

It is the Chair's understanding that amendment No. 3 will not be offered.

It is now in order to consider amendment No. 4 printed in House Report 106-613.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. JACKSON-LEE of Texas:

Section 103(a) is amended by striking paragraph (1) and by striking "(2)".

Section 103(c) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

(1) Redesignate subparagraphs (C), (D), (E), and (F) as subparagraphs (D), (E), (G), and (H), respectively.

(2) by striking paragraph (2);

(3) in paragraph (3), by striking "subparagraph (C) (as redesignated)" and inserting "subparagraph (B)";

(4) in paragraph (4), by striking "subparagraph (C) (as redesignated)" and inserting "subparagraph (B)" and by striking "(D)" and inserting "(C)"; and

(5) in paragraph (5), by striking "subparagraph (F) (as redesignated)" and inserting "subparagraph (E) (as redesignated)" and by striking "(G)" and inserting "(F)".

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, the gentleman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

Mr. NUSSLE. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Iowa (Mr. NUSSLE) will control 5 minutes in opposition.

The Chair recognize the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I hope that my discussion of this amendment would draw appropriators and budgeters together, because I believe the process of budgeting and appropriating are two very crucial aspects of this House business.

□ 1815

Call me today the conciliatory lady, the lady who is trying to bring us all together on the process that I think is extremely important.

We all agree that the current budget process does not run as smoothly as we may like; however, this bill does not answer all of our concerns. The problem with the budget process is that for the last 3 years, the leadership has engaged sometimes in processes that do not forward the opportunity for resolution.

In 1998, we failed to adopt a budget resolution, and for the last 2 years Congress approved budget resolutions that were difficult to implement. To work through these problems, the Congress has to waive rules to circumvent the budget resolutions. This bill does nothing to address this issue.

Mr. Chairman, H.R. 853 will significantly hamper our ability to agree on a budget by requiring a joint budget resolution, requiring the President to enter the process early in the year, by transforming the joint budget resolution to omnibus budget law, while simultaneously curtailing the ability of the appropriation committees to press forward if a budget has not been agreed to by May 15. This will delay the process rather than speed it up. So it is important that we look for options.

To interject the President in this is not a good option. The budget resolution will be transformed into a must-pass legislation. It is important, then, to offer an amendment that puts back into the process the actual ability to discuss the budget items as they are noted in the budget process. It gives us the opportunity to be able to discuss thoroughly the needs of education, the needs of Medicare, the needs of Social Security.

In my district, in particular, we are suffering in our public hospital system because of the formula of disproportionate share. It is important, Mr. Chairman, that we have the opportunity to ensure that we discuss these items in a manner that is respectful of the needs of the American people. That vigorous debate in the Committee on the Budget, that vigorous debate that is heard by the Committee on Appropriations is important.

So I would hope that this amendment that strikes language, that would take analysis of the budget functions out of the House budget resolution and place

them in the committee report would be accepted and would be viewed as an important feature, an important aspect of the budgeting process for all Americans.

Mr. Chairman, I rise in strong support of my amendment to eliminate H.R. 853's provision taking the analysis of the budget functions out of the House budget resolution and placing them in a Committee report. This Committee report would not permit the debate of each individual budget function; instead, the budget debate would shift to the comprehensive total amount.

The prohibition of debate on individual budget functions would significantly curtail the ability to increase discretionary spending. This amendment reinstates the inclusion of budget functions in the budget resolution. Under my amendment, the budget resolution would continue to set spending targets for the current 20 budget functions.

It is a mistake to remove budget functions and reconciliation directives from the budget resolution, because floor amendments that seek to address where money is spent, not just how much is spent, will no longer be possible. Priorities are often as important as aggregates, perhaps even more so in an era of surpluses. And if we pay inadequate attention to the detailed priorities, the aggregates are more likely to be unrealistic.

With functional levels included in the report and not subject to amendment, the issue of relative priorities cannot be addressed as well as they are now. And with the text of the budget resolution itself including fewer details, those details may take on less importance over time. Such a result will focus the debate on total spending and tax levels, and generally strengthen the position of those who talk about lower taxes and less spending.

Those who favor a series of programs such as Medicare, veterans benefits, education, highways, WIC, child care grants, defense, or environmental protection will be at a disadvantage in the budget resolution debate. This would be a tragic result for our nation.

Mr. Chairman, I reserve the balance of my time.

Mr. NUSSLE. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, to me, the reason that the budget functions were removed from the budget process as part of the base bill probably makes the most sense, to me, of just about any of the provisions. And the reason is because, as a new Member of the Committee on the Budget, one of the things that I did and one of the things that my staff did as an exercise is we actually tried to make sense of the budget functions and how there was a correlation between those 20 budget functions and the 13 appropriation bills.

So my colleagues understand what I am saying, let me show this chart. This is what the budget currently looks like, and what the gentlewoman is suggesting is that these budget functions need to remain in the budget that we pass. The problem is, there is not one number within these 20 budget functions that correlates to anything in reality later on in the year.

In other words, let me just take an example. Income security is the budget

function called budget function 600. As an example, for this last budget there was \$252 billion, with a B, billion dollars, set aside for income security. Now, my colleagues might guess what that is, but let me suggest to my colleagues that, first of all, it crossed the jurisdiction of four committees, it crossed the authorizing jurisdiction of seven different committees, and let me just give my colleagues an idea of some of the things that were part of that budget function: The drug elimination grants for low-income housing was in this, Section 8 housing vouchers, homeless assistance grants, child care and development block grant. That was part of the discretionary portion of that budget function.

But see if it makes sense to have, for instance, military retirement as part of that budget function. Should that not be in defense? Should that not be someplace else? Why do we have budget functions that are never used after the budget is passed? That is the question that we as a budget reform panel asked ourselves.

So, instead of having budget functions that would make it even more difficult for the President and the Congress to come together and make an agreement on the budget overall, what we said was, if we really do want to illustrate these 20 different budget functions, let us include them, but let us not include them on the face sheet of the report. Let us put them in the report language.

It does not mean there is not going to be income security; it does not mean there will not be agriculture; it does not mean there will not be education; it does not mean there will not be all of the other important programs. Nothing is changed. Nothing is eliminated. In fact, all of those programs can increase.

What the gentlewoman is trying to include in here is included already in our bill. What we try and do, however, is take out the confusion of numbers that do not make sense to anybody after the budget is passed. So I would recommend that we vote down this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Chairman, I thank the gentlewoman for yielding me this time.

The irony of this bill is that it elevates the budget resolution to a joint resolution so that it has the force and effect of law, and then it takes the contents of this newly elevated resolution and literally guts it. It reduces us from what we have now, a debate on programmatic priorities, the different functions in this budget, which are

more aligned to programmatic spending than any of the 13 appropriation bills that we have. It takes those and relegates them to the committee report so they lose a lot of their cause and effect.

Secondly, it takes the one power that we have as a committee to sort of move the budget process and require committees to do what the House would have them do, a process called reconciliation, and also relegates it to the report. So having raised the status of the resolution to a law, it then downgrades the contents of them to relative insignificance.

It means that, when we have the budget debate on the floor, we will be talking about big aggregated numbers that do not mean a lot of anything. We will not be coming here to say that we are talking about more for defense or more for health care or more for veterans' health care or more for housing. We will not be able to make that argument nearly as convincingly as we do now because all of this will be tucked away in the report, and all we will have in the resolution itself will be big aggregate numbers which will not necessarily mean anything about individual programs.

This is a good amendment. It should be adopted.

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from South Carolina proposed an amendment in the committee, which I thought was an interesting one when we were debating my base bill. And that is that instead of the budget functions, what we do is have the 302(b) allocations, which for everybody's edification are the amounts that are given to the different 13 appropriation subcommittees. I happened to think that was a fairly ingenious idea, because then the numbers would connect.

Now, having said that, I can see the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Alabama (Mr. CALLAHAN) about ready to come out of their chairs, and I do not think we are probably going to have much success in passing that. The gentleman from Wisconsin does not need to come out of his chair, I would say, because we did not put that in there.

See, I should not have even brought that up.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. NUSSLE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would inform the gentleman that I was merely making an innocent inquiry about the fate of the Chicago Cubs, that is all.

Mr. NUSSLE. Well, reclaiming my time, Mr. Chairman, let me advise the gentleman that they are losing.

Mr. SPRATT. Mr. Chairman, will the gentleman yield?

Mr. NUSSLE. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Chairman, my colleague may have noticed that I winced

when I heard him speak up in the background. I was not quite sure what was happening back there because that was a bold proposal. It was almost heresy because it breaks with the compromise that was reached in 1974.

Mr. NUSSLE. Reclaiming my time, Mr. Chairman, I would agree with the gentleman from South Carolina. That is right.

To conclude, Mr. Chairman, I would suggest that if there was some reality between the numbers, then I think there would be more of a reason to have them in the base bill.

The frustrating thing, I think for both sides, is that these budget functions are confusing. What we tried to do is we pushed them into the report and we put the reconciliation restrictions into the base bill. That way we, as a Congress, could decide exactly what committees made those decisions, if there were changes that needed to be made. It does not change the budget function numbers. It just, to some extent we believe, makes them more realistic and makes them easier to understand.

The current budget functions, as the gentleman from South Carolina knows, if we tried to add them up at the end of the year and make them fit into the budget, rarely do. They rarely have any kind of basis in reality when everything is said and done. So we felt it was important to make this more of a real document and not have the confusion that we feel was part of the original budget law, and that is the reason for that change.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

If we are concerned about priorities for the American people, then we will vote for this coming-together amendment. If we are concerned about veterans' payments, Medicare, WIC, child care grants, education and highways, issues that bring people together, if we care about how the appropriators do their jobs well, and they do it well; how the Committee on the Budget does its job well, and it does it well, then we will give ourselves the opportunity to establish priorities on the floor dealing with the American people.

This is a good amendment, Mr. Chairman, and it brings people together. It allows both committees respectively to do their jobs. I respect the jobs they do, and I would ask my colleagues to vote for the Jackson-Lee amendment that provides for aggregate assessment, and also the ability to discuss these particular programs in a way that will address the issues and concerns of the American people. I ask for the vote of my colleagues on my amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 499, further proceedings on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 106-613.

AMENDMENT NO. 5 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. TANCREDO:

Subtitle B of title IV is amended by adding at the end the following new section:

SEC. 426. COMMITTEE ON APPROPRIATIONS REPORTS.

Clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives is amended to read as follows:

"(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law along with the last year for which the expenditures were authorized, the level of expenditures authorized that year, the actual level of expenditures that year, and the level of expenditures contained in the bill (except classified intelligence or national security programs, projects, or activities)."

The CHAIRMAN. Pursuant to House Resolution No. 499, the gentleman from Colorado (Mr. TANCREDO) and a Member opposed each will control 5 minutes.

The gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Tancredo amendment to H.R. 853, the Comprehensive Budget Process Reform Act, would simply expand the reporting requirements for unauthorized programs which appear in the back of the House appropriations reports.

I want to take this opportunity to bring to the attention of the committee and, to help put this thing in perspective, some historical tidbits that I think are interesting.

In 1979, for instance, the Conservative Party leader, Margaret Thatcher, was elected Britain's first female Prime Minister, the Facts of Life began as a four-episode spin-off from an already successful sitcom Different Strokes, and the Legal Services Corporation was last authorized.

In 1980, Mount Saint Helens erupted in May, Ronald Reagan was elected President in November, and the Department of Justice was last reauthorized.

In 1983, the invasion of Grenada, the last episode of MASH was broadcast,

and the EPA toxic substance program was last reauthorized.

In 1984, the Olympics came to Los Angeles, the movie Ghost Busters premiered, and the Power Marketing Administration was last reauthorized.

Well, I could go on, there are quite a bit of what I would call interesting tidbits that puts this issue in perspective. We have a lot of programs out there that are continuing to be appropriated for that have not been reauthorized for years. This is a dereliction of our duty, I think, and something we have to draw attention to.

As my colleagues know, the current House rules require a list of all unauthorized programs to appear in the back of the appropriations report. While this current rule is very helpful in ensuring that Congress is aware of the programs that are unauthorized, I believe that much more needs to be done to increase the awareness.

The amendment I propose would simply expand on current rules to include, one, the last year for which the expenditures were authorized; two, the level of expenditures authorized that year; three, the actual level of expenditures for that year; and, four, the level of expenditures contained in that current bill.

I believe this is, although not a gigantic step in the direction I would like to take in terms of reauthorization, it is an important one.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek the time in opposition to the Tancredo amendment?

Mr. TANCREDO. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, we have had an opportunity to look at this amendment. We think it improves and enhances this particular bill and we would like to accept this amendment. We feel that it helps us particularly with the section on oversight, and we thank the gentleman for his work on this cause.

□ 1830

Mr. TANCREDO. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Chairman, I rise in strong support of the amendment offered by my friend, the gentleman from Colorado (Mr. TANCREDO).

This is a very simple amendment with a very important purpose, to increase access to Government spending information for Members of the House and the Senate and, especially, to the voting public.

This is a step in the right direction because it brings reform to our Government. It increases accountability, not by creating a new Government program, but by empowering the people with information.

The information required by this amendment answers the questions

many of us and many citizens ask when we see un-budgeted spending, questions such as: When did Congress approve this program? How much money was originally approved? How does this compare with current spending levels?

This amendment is important because an informed electorate is crucial to the future of our democracy and informed Members of Congress will also make better decisions.

I urge my colleagues to support this common sense amendment.

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, since coming to Congress a little over a year ago, I have spent a considerable amount of time trying to highlight the problems that I have come across in unauthorized spending. As I say, I know this is not the ultimate answer. It is our attempt to focus a little attention, a little light on the problem.

The chart I have here does not come anywhere near indicating all the programs that are being presently appropriated for without authorization, but it just looks at a couple of things that I think are again interesting.

Department of Justice, the last year it was authorized was 1980. The amount of authorization at that time was \$1,954,000,000. The level appropriated in this bill \$18,213,926,000. That growth has occurred without any authorization activity.

For fiscal year 2000, according to the annual budget report released by the CBO, there were 247 programs funded in 137 laws, totaling over \$120 billion wherein authorizations have expired. Last year there were 198 programs funded in 118 laws, totaling over \$101 billion.

I believe that this continuing practice has led to the deterioration of power of the authorizing committees and, thus, the loss of aggressive congressional oversight and fiscal responsibility. It has also led to the shift of power away from the legislative branch toward the administration and Federal bureaucracy.

I recognize that H.R. 853 includes a provision requiring authorizing committees to detail how they will authorize programs within a 10-year period, but I believe it is time that the House adds additional provisions to shine the light on this egregious problem.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 6 printed in House Report 106-613.

AMENDMENT NO. 6 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. RYAN of Wisconsin:

At the end, add the following new title:

TITLE VII—BUDGETING IN AN ERA OF SURPLUSES

SEC. 701. PAYGO REQUIREMENTS AND THE ON-BUDGET SURPLUS.

(a) Section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(a) PURPOSE.—The purpose of this section is to trigger an offsetting sequestration in the amount by which any excess of decreases in receipts and increases in direct spending over increases in receipts and decreases in direct spending, caused by all direct spending and receipts legislation enacted prior to October 1, 2002, exceeds estimates of the on-budget surplus.”.

(b) TIMING AND CALCULATION OF SEQUESTRATION.—Section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(b) SEQUESTRATION.—

“(1) TIMING.—Not later than 15 calendar days after the date Congress adjourns to end a session and on the same day as a sequestration (if any) under section 251, there shall be a sequestration to offset an amount equal to—

“(A) any excess of decreases in receipts and increases in direct spending over increases in receipts and decreases in direct spending for legislation enacted prior to October 1, 2002; minus

“(B) the estimated on-budget surplus (which shall not be less than zero),

as calculated under paragraph (2).

“(2) CALCULATION OF SEQUESTRATION.—OMB shall calculate the amount of the sequestration by adding—

“(A) all OMB estimates for the budget year of direct spending and receipts legislation transmitted under subsection (d) for legislation enacted prior to October 1, 2002;

“(B) the estimated amount of savings in direct spending programs applicable to the budget year resulting from the prior year's sequestration under this section, if any, as published in OMB's final sequestration report for that prior year; and

“(C) all OMB estimates for the current year that were not reflected in the final OMB sequestration report for that year; and

then by subtracting from such sum the OMB estimate for the budget year of the on-budget surplus (if any) as set forth in the OMB final sequestration report increased by the amount of budgetary resources cancelled in any such program, project, or activity resulting from a sequestration for the budget year on the same day under section 251 as published in OMB's final sequestration report.”.

(c) PREVIEW REPORTS.—Section 254(c)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by redesignating subparagraph (C) as subparagraph (D) and by adding after subparagraph (B) the following new subparagraph:

“(C)(i) MANDATORY.—In projecting the on-budget surplus (if any) for the budget year, direct spending and receipts shall be calculated consistent with the assumptions under section 257(b) but shall exclude all estimates of direct spending and receipts legislation for such year enacted after the date of enactment of this subparagraph (as estimated by OMB when such legislation was originally enacted).

“(ii) DISCRETIONARY.—Except as provided by the preceding sentence, the following assumptions shall apply to the calculation of such estimated surplus:

“(I) For programs, projects, and activities for which a regular appropriation Act or a

joint resolution (other than pursuant to section 1311 of title 31, United States Code) continuing appropriations through the end of the budget year is enacted, budgetary resources other than unobligated balances shall be at the level provided by that Act with the following adjustments:

“(aa) Include amounts of budget authority provided and rescinded for such year in any supplemental or special appropriation Act or rescission bill that is enacted into law.

“(bb) Reduce the level by the amount of budgetary resources canceled in any such program, project, or activity by a sequestration under section 251 as published in OMB’s final sequestration report for such year.

Substantive changes to or restrictions on entitlement law or other mandatory spending law in an appropriation Act shall be counted in determining the level of direct spending and receipts for purposes of calculating the on-budget surplus under this section.

“(II) For programs, projects, and activities for which a regular appropriation Act or a joint resolution (other than pursuant to section 1311 of title 31, United States Code) continuing appropriations through the end of the budget year is not enacted, budgetary resources other than unobligated balances shall be at the level provided for the current year in regular appropriation Acts or a joint resolution (other than pursuant to section 1311 of title 31, United States Code) continuing appropriations through the end of the current year with the following adjustments:

“(aa) Include amounts of budget authority provided and rescinded for such year in any supplemental or special appropriation Act or rescission bill that is enacted into law.

“(bb) Reduce the level by the amount of budgetary resources canceled in any such program, project, or activity by a sequestration under section 251 as published in OMB’s final sequestration report for such year.

Substantive changes to or restrictions on entitlement law or other mandatory spending law in an appropriation Act shall be counted in determining the level of direct spending and receipts for purposes of calculating the on-budget surplus under this section. After making such adjustments, further adjust such amount using the assumptions set forth in section 257(c) (1)–(5).”

(d) DEFINITION OF ON-BUDGET SURPLUS.—Section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new paragraph:

“(20) The term ‘on-budget surplus’ means, with respect to a fiscal year, the amount by which receipts exceed outlays for all spending and receipt accounts of the United States Government that are designated as on-budget. Such term does not include outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or any other off-budget entity.”

(e) EXPEDITED RECONCILIATION PROCESS.—Section 258C of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

(1) The side heading of subsection (a) is amended by inserting “OR IN THE HOUSE OF REPRESENTATIVES” after “SENATE”.

(2) In paragraphs (1), (2), (3), and (4) of subsection (a), insert “or House” after “Senate” each place it appears.

(3) In subsection (a)(7), strike “For” and insert “In the Senate, for”.

(4) In subsection (b)(1), insert “or House” after “Senate”.

(5) In the side heading of subsection (b)(4), insert “OTHER” after “THE”.

(6) In subsection (b)(4), strike “in the Senate from the House” and insert “in the Sen-

ate or House of Representatives from the other House”, strike “Senate” the second place it appears and insert “Senate or House of Representatives, as the case may be.”, and strike “Senate” the third place it appears and insert “in the applicable House”.

The CHAIRMAN. Pursuant to House Resolution 499, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from South Carolina (Mr. SPRATT) each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very simple amendment. The reason why I am proposing this amendment is because our current budget process, our current budget laws, have failed to take into consideration that we are now in an era of surpluses. The budget laws were written in a time when we were knee deep in deficits and we had deficits as far as the eye could see.

I believe that it is very important that, as we redo our budget process, we do it to take into consideration the fact that we now have budget surpluses.

What my amendment would do is to carry out our commitment to allow that the on-budget or non-Social Security surpluses would be used for tax relief or entitlement reform or debt reduction, as current law allows.

Under current law, the budget surplus cannot be used to offset tax relief provisions or increases in mandatory spending. This law, which is commonly referred to as pay-as-you-go, or the pay-go statute, was enacted in 1990. It says that the sum of all tax-and-entitlement legislation could not increase the deficit in any given fiscal year over a period 5 years.

This means that if a tax or spending legislation increased the deficit, it had to be offset with increasing taxes or decreasing entitlement spending, a wise law, for a deficit period.

But what happens when we run into a budget surplus? Mr. Chairman, that is what this amendment addresses. This law updates that. This legislation has been introduced by Members of both sides of the aisle in this Congress and last Congress.

I introduced H.R. 1016 to do just this, which is similar to this amendment. My amendment would simply apply the on-budget surplus to the pay-go scorecard to allow that the surplus could be used for either offsetting tax relief or entitlement reform.

If they want to pass a prescription drug benefit to Medicare, now, under my amendment, if it becomes law, they can do so. If they want to give deductibility for health insurance, if they want to abolish the marriage tax penalty, right now they cannot use that budget surplus. Under my amendment, they can do so.

What we simply achieve in this amendment is catching up with the fact that we have surpluses. If we do

not rewrite the pay-go statute to catch up with the current situation, we will spend this money.

Mr. Chairman, what we have seen time and time again this year and last, if there is money left on the table by our constituents overpaying their income taxes, that money will be spent. Make no bones about that.

What this amendment does is play off of the good support and the good policy we have achieved by dedicating all Social Security surpluses toward paying off our public debt.

Mr. Chairman, let me add that, with the passage of our budget resolution, with legislation we have passed earlier, and with the discipline of Congress last year, we stopped the raid on the Social Security trust fund and we are well on our way to paying off our public debt in 12 years.

What this amendment does is address those other surpluses, the non-Social Security surpluses, the on-budget surpluses. And it simply says, after paying that public debt off, after taking Social Security off budget, if constituents, if the American taxpayer still overpays their taxes, that money ought to be used for either changing entitlements like Medicare reform or reducing their taxes. Because, after all, that is what surpluses are, tax overpayments.

It is a very common sense bill. It is a very common sense amendment. It is endorsed and promoted by the National Taxpayer Union and Citizens Against Government Waste.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, I yield 5½ minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, this is a little more than a simple amendment. But I do want say to my colleague, the gentleman from Wisconsin (Mr. RYAN), he is one of the more thoughtful Members on these issues, even though we do not always agree, and I respect him for that.

The problem with this amendment, in my opinion, is that this would repeal half of the pay-go rules only if it applies to the on-budget surplus and it would allow the Congress to leverage long-term projections for tax cuts or new spending which might turn out to be wrong.

In the event they were wrong, then half of pay-go would apply and it would apply against things either as tax increases or Medicare or title XX social services block grants or veterans’ education or student loans or farm price supports, or quite possibly, and the appropriators should think about this, it might indirectly affect discretionary spending, because if the Congress decided it did not want to have sequestration in the Medicare programs or the

farm price support programs, then they would have to revisit the discretionary side of the ledger and make adjustments in there.

My colleagues would be better off, and I oppose this, but they would be better off, quite frankly, repealing all of pay-go rather than doing what they are doing here, which is sort of doubling up the straitjacket that pay-go does.

I appreciate what the gentleman from Wisconsin (Mr. RYAN) is trying to do. He is trying to say, in this new era of bucket surplus, it is time to forget pay-go and move on.

My feeling is, one, we do not know how long this is going to go on for. We do not know how good these projections are. We ought to be dedicating the vast majority of both the on-budget and off-budget surplus to paying down debt because we may well have to borrow in the future for some unforeseen event. But to do this would just ratchet tighter and tighter pay-go on a smaller portion of the budget.

And it probably would fail. It would probably go back to the days of Gramm-Rudman-Hollings. I was staff here when Gramm-Rudman-Hollings first came in, and all I can remember was Congress missed, missed, missed and missed through Gramm-Rudman-Hollings.

So it was not until the 1990 Budget Act, and I had left, I was on Wall Street at that time, that Congress then started to follow the spending caps and the pay-go rules.

I think it would be a grave mistake to adopt this amendment. The gentleman from Wisconsin (Mr. RYAN) is well-intentioned, but he either is going to set us up to fail or he is going to set us up to make huge leverage decisions on long-term projections, which very likely could be wrong and make us have to make cuts in these programs or raise taxes in the future. I have not found too many Members in this body on either side of the aisle who are eager to raise taxes.

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, to respond, I appreciate the compliments of the gentleman from Texas (Mr. BENTSEN). I, too, believe that he is one of the more thoughtful members of the Committee on the Budget who understands these issues.

I would like to address just a couple of points he makes. I think it is a valid point to suggest that we are locking in projections on this pay-go scorecard fix and that that might, indeed, become a case where those projections do not materialize.

That is why, if we look at the amendment, we have rewritten this amendment so that it takes into account changes in budget projections. Every January, CBO would reanalyze the projections. So every single year we would redo the projections so that the score-

card would be adjusted on an annual basis so that we would not wind ourselves up into the point where we are going to pass a tax cut, say, for example, that uses a credit on the scorecard on old projections. It would be annual projections. And if we would exceed those projections, we would offset that spending.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, I understand that. But they are going to have projections that they are going to get for, say, fiscal year 2001 and then they are going to pass the capital gains tax cut. I do not think they want to pass the capital gains tax cut and do it on an annual basis. I think they want to do it on a long-term basis, and I think it is going to be a problem in how it works.

The point is that they would not want to have to come back and say, well, we set the cap gains rate at 20 percent this year, but because we got new CBO forecast, in order not to have to cut Medicare, we are going to go back and reset it at 21 percent.

For the investor who is holding an instrument for 6 months or a longer period of time, that is going to be quite disruptive. And that is a problem in trying to do this. They either have to try to go all the way or no way.

Mr. RYAN of Wisconsin. Mr. Chairman, if the gentleman will continue to yield, right now if we cut taxes and we pass a tax bill saying it decreases capital gains taxes that is offset with spending cuts or mandatory spending cuts, what this amendment simply says is that the mixture of offsets would be on-budget surpluses or mandatory offsets, and that mixture would be determined by the annual re-estimate of the projection on an annual basis. So that, if they lock in place a capital gains tax cut, say, for 10 years, their on-budget portion which pays for that would adjust on the actual re-estimate every year and any money that comes in above and beyond the surplus projection amount that is required to offset taxes would be dedicated toward offsets coming from mandatory spending.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, I understand what the gentleman is saying. It is well-intentioned. But the point he made is that, if the numbers do not turn out, they have locked in the cap gains tax cut for 10 years and, so, they are going to have to go back and make it up on the mandatory spending side.

That is my point exactly, they do not know for certain. They are going to have to come back and keep reevaluating it. So they may start this where they have a large surplus. Things change and they have to come back and take it out of the Medicare program. I do not think the Members on either side of the aisle are really going to want to do it.

Mr. SPRATT. Mr. Chairman, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, may I inquire as to how much time is remaining.

The CHAIRMAN. The gentleman from Wisconsin (Mr. RYAN) has 6½ minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 4½ minutes remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before I yield to my friend from Pennsylvania, I would like to actually quote Mr. Leon Panetta. Leon Panetta was the former chairman of the House Committee on the Budget when the Democrats controlled the House.

□ 1845

He was the former Budget Director of the Office of Management and Budget and the former Chief of Staff to President Clinton. Recently at a budget symposium, Mr. Panetta said, "We should set aside a specific amount of the projected budget surplus for either use on entitlement programs or tax cuts, and Members can then fight on how that should be done. But to establish a pay-go account for that purpose and if that pay-go account is exceeded, you then have to pay for any additional spending above that limit."

Mr. Chairman, this is precisely what my amendment does. It is an amendment that has been endorsed effectively by Mr. Panetta, the former chairman of the House Committee on the Budget, the former chairman of the Office of Management and Budget.

To respond to the gentleman from Texas, who is a thoughtful gentleman on these issues, I say that we are always passing tax relief packages here in the House. The only difference that this amendment presents is that if constituents, taxpayers continue to overpay their tax, that should be factored into it. We should not spend the money on discretionary spending if it shows up in town, if we have brand new surpluses. That money should instead go toward tax reduction or entitlement reform.

Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. I thank the gentleman from Wisconsin for yielding me this time.

Mr. Chairman, I would point out that I think he deserves congratulations for delving so deeply into the land of esoteria here. This is not a very well understood topic and I congratulate him for his conscientious efforts certainly to understand it, which he thoroughly does, but to offer a constructive solution.

I think what this amendment is all about really is honest budgeting, specifically honest budgeting in the age of surpluses. Pay-go is a relic of the era of deficits. It was designed at the time for the worthy purpose of preventing further growth in existing deficits. What the Ryan amendment does is it simply updates this tool so that it will also work when there are surpluses. If, God forbid, we go back to the days of deficits, this tool will continue to work as

it was designed, as it was intended, as it worked then. But today, fortunately, we are in a time of surplus and we need to update this tool.

Theoretically, under the current budget rules, if we want to use part of the on-budget surplus, the non-Social Security surplus for a tax cut, the rules say you have got to cut entitlement spending in order to do that. Now, we certainly do not want to cut entitlement spending because we want to lower taxes from the on-budget surplus, and we do not. When we propose a tax cut, what we do is we waive this rule. We pretend it is not there. Well, that is not the right way to do things. That really makes a mockery of the rules of the House.

What the gentleman from Wisconsin is attempting to do is to modify this rule, update it, bring it up to the era of surpluses and make it workable, whether we have deficits or surpluses. It is a good, thoughtful amendment. I urge my colleagues to support it.

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, what the Ryan amendment says is that no matter how big the surpluses become in the future that you cannot spend a dime on veterans health care, you cannot spend a dime on education, you cannot spend a dime on cancer research. All you can do is use that money for tax cuts or entitlements, which are the fastest growing portion of the budget. With all due respect, he may define that as being balanced and fair. I think veterans and persons suffering from cancer and people who want their kids to get a decent education would respectfully disagree.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume to say just one thing. That is why we have a discretionary budget. We have a discretionary budget which increases every year for veterans programs, for NIH spending. This money goes toward either tax reform or entitlement reform. Medicare is a very, very important program for every single American in this country over the age of 65. We are simply saying, let us fix Medicare, let us fix our entitlements and let us fix the fact that we have the highest tax burden in the peacetime history of this Nation.

Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I rise in support of this amendment, along with the others who are simply here because we passionately feel that to secure America's future and protect our children, that we need to limit the growth of government and that we are tired of being on the losing end of those attempts. What we want to do is just put in real, common sense measures that really focus the attention on limiting spending and trying to do the right things in this Congress. This amendment would do that. This amendment would allow the on-budget surplus to

offset tax relief or mandatory spending increases.

The Ryan pay-go amendment is endorsed by the National Taxpayers Union and Citizens Against Government Waste. What it does is that under current law, known as pay-go, only tax increases or cuts in mandatory spending may be used to offset other tax relief measures or mandatory spending increases. This amendment would allow the on-budget surplus, not the Social Security surplus, to offset these measures. In essence, this amendment would allow for the budget surplus to be used for tax relief, for mandatory spending reforms such as Medicare reform.

This is bipartisan language that is similar to bills that have been introduced in the past. It is sensible. It is common sensical. I support it and urge all of my colleagues to support it.

Mr. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

The gentleman began his amendment by saying that this would allow us to dedicate all Social Security funds to debt reduction. But in truth, the debt reduced, the debt held by the public, would be bought up by the Social Security administrators and there would be a commensurate increase in the debt held by the administrator, the Social Security Administration, for the decrease in the debt held by the public. So in truth there is no real debt retirement. I am in favor of doing that, but that is not really debt retirement. If you want to retire debt, pay off debt, you have got to use the on-budget surplus for debt reduction. If you wipe it out with tax cuts or mandatory spending increases as this would allow, then it will not be there for additional debt reduction, point number one.

Point number two. He says this will protect Social Security. But in truth what he is doing is removing the cushion that does protect Social Security. Suppose we are wrong about future surpluses and suppose we have a big tax cut or a big spending increase premised on the expectation that these projections will actually obtain and they do not obtain, the economy takes a downturn. What happens is that you are into Social Security, because you have removed the cushion, the on-budget surplus that would absorb the downturn in the economy. You are back into Social Security, so it puts Social Security in jeopardy.

To protect Social Security, he reaches back into the past and gets an instrument, a tool, we called it a club in the closet once, called sequestration. We go back to the old principles of sequestration and Gramm-Rudman-Hollings I and Gramm-Rudman-Hollings II here. If you have a downturn in the economy, if the surplus does not obtain, if you have a tax cut or a spending increase premised on payment out of the surplus and the surplus does not show up in the future, then you have sequestration so that you stay out of Social Security. We had sequestration

in Gramm-Rudman-Hollings. How many times did we use it? Once. March 1, 1986. Thereafter, when the law was changed, we never used sequestration again to any substantial extent. It is a phony device. It will not ever happen. In any event, if it does, you will cut Medicare instead of cutting Social Security and the same people are going to be hurt. So this is not a good idea.

Let me tell the gentleman, I respect him. We work together on the Committee on the Budget. He was not here in the 1980s and the 1990s when we grappled with solutions. One of the solutions to the deficit that we came up with was the pay-go rule. The other was the discretionary spending ceiling. The pay-go rule was a reaction to our failed experience under Gramm-Rudman-Hollings. In Gramm-Rudman-Hollings, we said we are going to project the deficit for the future each year, and we had then \$180 billion deficits. So we said over 5 years we are going to eradicate this deficit. 180 over 5 equals 36, every year we are going to reduce the deficit by \$36 billion until it is zero. It did not happen.

One reason it did not happen is that the first year out of the box, the first year in our experience with Gramm-Rudman-Hollings the deficit went from \$180 billion to \$221 billion. That was not supposed to happen. The economy made it happen. As a consequence, we were \$41 billion deeper in debt than we really thought we were, \$41 billion behind the mark where we thought we were going to start. That could happen here. We have been lucky, we have been fortunate, but one day this gravy train could come to an end. The increasing revenues that have fueled the increasing surplus could also terminate. When that happens, all of these spending increases and tax cuts that we are premising on paper are projected surpluses may turn awry. We may find ourselves in deep trouble because we have assumed that they were going to happen. The safe, conservative, responsible and proven way to go is to leave the pay-go rule the way it is and only cut taxes when you identify a revenue stream or an entitlement cut to offset the consequences to the surplus.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Chairman, I have rarely heard so much time and effort made into making a pretty simple amendment sound so complicated. It is simple because if you ask anyone in this country what should be done with the on-budget surpluses, they give you a pretty straightforward response. They say, we should increase education funding, we should strengthen Social Security or Medicare, we should get rid of the marriage penalty, give individuals deductibility for their health insurance cost. But the fact of the matter is under the existing pay-go rule, you cannot get rid of the marriage penalty using the on-budget surplus. You cannot strengthen Medicare using the on-budget surplus.

Then how in fact do we do those things? Last year we passed a Medicare update bill. We had to waive the pay-go rule, which is arcane and outdated in an age of on-budget surpluses. How did we eliminate the Social Security earnings limit, which is good bipartisan legislation that everyone in this body supports? We had to waive the pay-go rule. How do we get rid of the marriage penalty? We have to waive the pay-go rule. If you want to do these things, if you want to reduce taxes without cutting entitlements and if you want to strengthen entitlements without cutting other entitlements, you need to waive the existing pay-go rules.

That is what this gentleman's amendment does. It updates them in a common sense way.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment. For those Members who are endorsing pay-go as it is currently structured, it is expiring next year, anyway. We should be supporting this amendment. This amendment not only retains pay-go but it improves and extends pay-go to apply to the fact that we now have budget surpluses.

Mr. Chairman, those who are opposing this amendment are trying to make it more complicated than it is. All we are saying is in the land of budget surpluses, non-Social Security surpluses, when Washington gets flooded with all of this new money, that money should not go toward more frivolous spending. That money should go toward entitlement reform and tax reform or debt reduction. Congress will decide the mixture of those things. It extends and updates pay-go to take into account the fact that we have a surplus era. I urge the passage of this amendment.

The CHAIRMAN pro tempore (Mr. MCHUGH). The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. SPRATT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. RYAN) will be postponed.

It is now in order to consider amendment No. 7 printed in House Report 106-613.

AMENDMENT NO. 7 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. RYAN of Wisconsin:

At the end of title VI, add the following new subtitle:

Subtitle C—Spending Accountability Lock-box

SEC. 631. SHORT TITLE.

This subtitle may be cited as the "Spending Accountability Lock-box Act of 1999".

SEC. 632. SPENDING ACCOUNTABILITY LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 (as amended by sections 104(c) and 206(a)) is further amended by adding after section 317 the following new section:

"SPENDING ACCOUNTABILITY LOCK-BOX LEDGER

"SEC. 318. (a) ESTABLISHMENT OF LEDGER.—The chairman of the Committee on the Budget of the House of Representatives and the chairman on the Committee on the Budget of the Senate shall each maintain a ledger to be known as the 'Spending Accountability Lock-box Ledger'. The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three components: the 'House Lock-box Balance'; the 'Senate Lock-box Balance'; and the 'Joint House-Senate Lock-box Balance'.

"(b) COMPONENTS OF LEDGER.—Each component in an entry shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

"(c) CREDIT OF AMOUNTS TO LEDGER.—(1) In the House of Representatives or the Senate, whenever a Member offers an amendment to an appropriation bill to reduce new budget authority in any account, that Member may state the portion of such reduction that shall be—

"(A) credited to the House or Senate Lock-box Balance, as applicable; or

"(B) used to offset an increase in new budget authority in any other account;

"(C) allowed to remain within the applicable section 302(b) suballocation.

If no such statement is made, the amount of reduction in new budget authority resulting from the amendment shall be credited to the House or Senate Lock-box Balance, as applicable, if the amendment is agreed to.

"(2)(A) Except as provided by subparagraph (B), the chairmen of the Committees on the Budget shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of Senate amendments to that bill, credit to the applicable entry balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

"(B) When computing the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the House of Representatives or the Senate to an appropriation bill, the chairmen of the Committees on the Budget shall only count those portions of such amendments agreed to that were so designated by the Members offering such amendments as amounts to be credited to the House or Senate Lock-box Balance, as applicable, or that fall within the last sentence of paragraph (1).

"(3) The chairmen of the Committees on the Budget shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

"(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that subcommittee; and

"(B) an amount equal to one-half of the sum of (i) the amount of outlays in the

House Lock-box Balance plus (ii) the amount of outlays in the Senate Lock-box Balance for that subcommittee.

"(4) CALCULATION OF LOCK-BOX SAVINGS IN SENATE.—For purposes of calculating under this section the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

"(d) DEFINITION.—As used in this section, the term 'appropriation bill' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.

"(e) TALLY DURING HOUSE CONSIDERATION.—The chairman of the Committee on the Budget of the House of Representatives shall maintain a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported. This tally shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House."

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 317 the following new item:

"Sec. 318. Spending accountability lock-box ledger."

SEC. 633. DOWNWARD ADJUSTMENT OF SECTION 302(a) ALLOCATIONS AND SECTION 302(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 302(a) of the Congressional Budget Act of 1974 (as amended by section 422) is further amended by adding at the end the following new paragraph:

"(6) ADJUSTMENT OF ALLOCATIONS.—Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 318(d)) for a fiscal year, the amounts allocated under paragraph (1) to the Committee on Appropriations of each House upon the adoption of the most recent joint resolution on the budget for that fiscal year shall be adjusted downward by the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 318(c)(2). The revised levels of new budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record."

(b) SUBALLOCATIONS.—Section 302(b) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Whenever an adjustment is made under subsection (a)(6) to an allocation under that subsection, the Committee on Appropriations of each House shall make downward adjustments in the most recent suballocations of new budget authority and outlays under this subparagraph to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 318(c)(2). The revised suballocations shall be submitted to each House by the chairman of the Committee on Appropriations of that House and shall be printed in the Congressional Record."

SEC. 634. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 318(a)."

SEC. 635. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal

year set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. Those amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as calculated under section 302(a)(6) of the Congressional Budget Act of 1974. That bill or joint resolution shall contain the following statement of law: "As required by section 635 of the Spending Accountability Lock-box Act of 1999, for fiscal year [insert appropriate fiscal year] and each outyear, the adjusted discretionary spending limit for new budget authority is reduced by \$ [insert appropriate amount of reduction] and the adjusted discretionary limit for outlays is reduced by \$ [insert appropriate amount of reduction] for the fiscal year and each outyear." Section 306 shall not apply to any bill or joint resolution because of such statement. This adjustment shall be reflected in reports under sections 254(f) and 254(g) of the Balanced Budget and Emergency Deficit Control Act of 1985.

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, the gentleman from Wisconsin (MR. RYAN) and the gentleman from South Carolina (MR. SPRATT) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (MR. RYAN).

MR. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume. I will be very brief in the summary of this amendment. This amendment has been here before. In fact, 321 Members of this body have at one time or another in this or past Congresses either cosponsored or voted for this amendment; 42 Members of the Committee on Appropriations today have either voted for or cosponsored this amendment.

This amendment is commonly referred to as the discretionary lockbox. It simply says this. If you are a Member of Congress and you come to the floor of Congress with an amendment to reduce or cut spending, that money will go toward debt reduction. What it says is that money will go toward debt reduction unless you choose to designate that money to go toward other parts of spending. But today under current law, we have this crazy budget system under which if you go to the floor of Congress, pass an amendment to cut or eliminate spending, save some taxpayer dollars, that program may not be authorized or appropriated but the money you save by law will have to be respent at another part of the Federal Government. That is part of the crazy budget laws we live under today.

Simply put, this amendment says if you want to pass an amendment to cut out some pork barrel spending, to cut some wasteful spending, that money will go toward paying down the national debt rather than being plowed into spending in another form of the Federal Government.

MR. CHAIRMAN, I reserve the balance of my time.

MR. SPRATT. Mr. Chairman, I yield myself such time as I may consume.

It is true that this has been voted upon before. We were desperate for so-

lutions and so this was one of the jerry-rigged solutions that we came up with. It has been through committee. It has been on the floor. Let me tell my colleagues what is wrong with it.

□ 1900

We can have a cut here on the House floor or in committee of a particular program that is unpopular amongst Members here in the House. They can have a cut in the Senate of the same amount, or roughly the same amount, of a totally different program. When you then go to conference, there is no coming together on the cut that has been made. The House has decided to cut one thing that is not popular here, the Senate has decided to cut another thing that is not popular there.

The amount is roughly the same, so both Houses have interests in their so-called lockbox accounts that have to be reconciled, but there is no reconciliation on the item to be cut, how that number is to be achieved. They may be at total loggerheads over that particular issue. That is one of the problems with it.

Secondly, you can cut something that is one time, nonrecurring, that would not have any really future prospect of spendout, but nevertheless, it has future consequences for the budget, because, if I understand the gentleman's amendment correctly, once you achieve that cut here on the House floor, if you specify that the cut will be charged to the lockbox account, then you have to reduce 302(a) and (b), and then, having done that, discretionary spending has been reduced overall, the discretionary spending ceiling is not only lowered for that year, but successive years so long as it remains in effect. Even though if this could have been a one-time nonrecurring item, something that did not have future consequences, it could and will have consequences for the budget.

For all of these reasons, this lockbox idea is an idea whose time has come and passed. We do not need it now. There is no reason to complicate the process with it. I strongly recommend that we do not approve it tonight.

MR. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

MR. CHAIRMAN, I would like to respond to those two concerns by the gentleman from South Carolina (MR. SPRATT), who voted for this lockbox amendment in prior Congresses. We have changed it a little bit since the last time the gentleman from South Carolina (MR. SPRATT) voted for it.

Number one, the conference report must pass for the savings to be realized. We lower the 302(a) after the conference report with the House and the Senate passes.

Number two, it is a 1 year time savings. It happens in the first year. It does not change the 5-year budget resolution window. So I think those are very good points the gentleman has raised. We have taken care of those

concerns in this amendment. The gentleman voted for it once before, and I hope he will do so again.

MR. CHAIRMAN, I yield 1 minute to the gentleman from Pennsylvania (MR. TOOMEY).

MR. TOOMEY. Mr. Chairman, I rise in support of this amendment. It is really very simple. What this amendment is all about, as it says, is if Congress passes an amendment designed, intended, and it passes, to save taxpayer money, then it should do just that. It should not be spent somewhere else.

The Ryan amendment, frankly, is a reasonable and sensible compromise on how that happens. It says any money that is saved through an amendment to an appropriation bill is not going to be used for a tax cut and it cannot be used for additional spending. It simply will be used for debt reduction.

Now, some may point out, well, you know, if nothing else happens, eventually this money automatically will go for debt reduction. But, keep in mind, that is only if it is not spent first on a subsequent bill. I think experience shows that it is very hard for this Chamber and it is very hard for the other Chamber to resist the temptation of spending money that is sitting on the table.

What the Ryan amendment does is it says when this Chamber expresses its will by reducing the spending level, let us make that happen. Take the money off the table. This is a very modest modicum of fiscal discipline, and I urge my colleagues to support this amendment.

MR. RYAN of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (MR. BENTSEN).

MR. BENTSEN. Mr. Chairman, I am starting a new practice in the House, and also an old practice in the House.

The question I have, and the staff has explained this to me, if an amendment passed, say, to the defense appropriations bill, I will give an example, which, say, cuts the D-5 missile program for \$10 billion in the House, and then it passes in the Senate for \$5 billion, then you take the average of \$7.5 billion and reduce the overall discretionary spending by \$7.5 billion, could the committee still then fully fund the D-5 missile and just take it out of somewhere else so Members would think they are voting for one thing but get something else in return?

MR. RYAN of Wisconsin. Mr. Chairman, if the gentleman will yield, first of all, that would be something that would be operated under a conference report agreement. If one side does one policy and the other does not, that could be changed in conference.

As to the issue of the allocation, not the appropriation of a particular program, the allocation would be changed after the conference report is passed.

MR. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Texas (MR. BENTSEN).

MR. BENTSEN. Mr. Chairman, the question though is this: The Members

on the floor of the House would be voting to cut a specific program that they think is going in a lockbox, and the members of the other body would be voting to cut a specific program. But then the members of the Committee on Appropriations could actually go back and fund that program, but we would get credited.

I know it would come to a great shock to everybody that that might happen, that the members of the committee and conference might not follow the will of the House or the other body, but it seems like we are sort of giving a blanket approach to a lockbox, just stick whatever program on there nobody likes, and then we will do that, and then we will cut it and take it out of somewhere else.

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, we cannot control what happens in a conference report. We cannot control from this Chamber or from the other Chamber what they do in conference reports. So this amendment does not try to control that, it simply tries to capture the savings from successful appropriations amendments to be used for debt reduction. You cannot control the level.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, my only concern is it would be something people would say we are going to vote against a program we do not like, but we will take it out of a program we like.

Mr. SPRATT. Mr. Chairman, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 1 minute.

Mr. RYAN of Wisconsin. Mr. Chairman, this is a very, very straightforward amendment. All this amendment does is it simply says that if you are a Member of Congress and you want to reduce spending, you want to go after a wasteful program, that means you can then use that money to pay off national debt.

We have some weird laws in this body. I am a new Member of Congress and I am becoming acquainted with these. But one of the weirdest laws that we have here in this body is that if you eliminate or reduce spending in the appropriations process, that money is spent somewhere else in the Federal Government. It cannot go toward paying down our National debt.

All this amendment does, an amendment supported by the National Taxpayers Union, an amendment supported by the Citizens Against Government Waste, all this amendment says is that if you successfully pass an amendment to save money, that that money will go toward paying down the National debt, unless you designate it to go to another account or another spending pro-

gram within the Federal Government. It is good fiscal discipline, it is bipartisan. I am pleased to have as my cosponsors the gentleman from Minnesota (Mr. MINGE) and the gentleman from New Jersey (Mr. ANDREWS). I am pleased that 321 Members of this House have already voted for or cosponsored this bill.

I ask Members to be consistent. I ask Members to vote for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

The amendment was agreed to.

Mr. SPRATT. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on Ryan amendment No. 7.

The CHAIRMAN. Does any other Member ask for a recorded vote?

PARLIAMENTARY INQUIRY

Mr. NUSSLE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NUSSLE. Mr. Chairman, on the amendment that the gentleman from South Carolina was requesting unanimous consent regarding, what was the determination of the Chair?

The CHAIRMAN. The result on the previous amendment was "aye" by a voice vote.

The Chair would make an inquiry of the gentleman from South Carolina. The amendment just concluded was Ryan No. 7. I understand the gentleman's unanimous consent request to be with regard to which amendment?

Mr. SPRATT. It was Ryan No. 7, according to mine. It is Ryan No. 6, the pay-go amendment.

The CHAIRMAN. The gentleman's request concerns the previous amendment, Ryan No. 6, on which the gentleman from South Carolina asked for a recorded vote. He is now seeking unanimous consent to withdraw his request for a recorded vote.

Mr. RYAN of Wisconsin. Are you talking about the pay-go amendment?

The CHAIRMAN. Yes. Without objection, the request for a recorded vote entered by the gentleman from South Carolina is withdrawn. Does any other Member seek a recorded vote on Ryan No. 6?

If not, that amendment is adopted.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 499, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 2 offered by Mr. GEKAS of Pennsylvania; and,

Amendment No. 4 offered by Ms. JACKSON-LEE of Texas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. GEKAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gen-

tleman from Pennsylvania (Mr. GEKAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 236, not voting 25, as follows:

[Roll No. 187]

AYES—173

Aderholt	Goode	Peterson (PA)
Archer	Goodlatte	Petri
Armey	Goodling	Pickering
Bachus	Goss	Pitts
Ballenger	Graham	Pombo
Barr	Green (WI)	Porter
Bartlett	Greenwood	Quinn
Barton	Gutknecht	Radanovich
Bass	Hall (OH)	Ramstad
Bateman	Hansen	Reynolds
Bereuter	Hastings (WA)	Riley
Bilbray	Hayworth	Rogan
Bilirakis	Hefley	Rohrabacher
Blunt	Herger	Ros-Lehtinen
Boehler	Hill (MT)	Roukema
Bono	Hilleary	Royce
Brady (TX)	Hoekstra	Ryan (WI)
Bryant	Horn	Ryun (KS)
Burr	Hostettler	Salmon
Burton	Houghton	Sanford
Buyer	Hulshof	Scarborough
Camp	Hutchinson	Schaffer
Canady	Hyde	Sensenbrenner
Cannon	Isakson	Sessions
Castle	Istook	Shadegg
Chabot	Jenkins	Shaw
Chambliss	Johnson (CT)	Shays
Coble	Johnson, Sam	Shimkus
Coburn	Jones (NC)	Shows
Combest	Kasich	Shuster
Cook	Kelly	Simpson
Cox	King (NY)	Smith (MI)
Crane	Kingston	Smith (NJ)
Cubin	Klecicka	Smith (TX)
Cunningham	LaHood	Souder
Davis (VA)	LaTourette	Stearns
Deal	Lazio	Stump
DeMint	Leach	Sununu
Diaz-Balart	Lewis (KY)	Sweeney
Doggett	Linder	Talent
Doolittle	LoBiondo	Tancredo
Dreier	Lucas (OK)	Tauzin
Duncan	McHugh	Taylor (MS)
Dunn	McInnis	Terry
Ehlers	McKeon	Thomas
Ehrlich	Metcalfe	Thune
English	Mica	Toomey
Everett	Miller (FL)	Vitter
Ewing	Miller, Gary	Walden
Fletcher	Minge	Weldon (FL)
Foley	Moran (KS)	Weldon (PA)
Forbes	Morella	Weller
Fossella	Myrick	Whitfield
Fowler	Nethercutt	Wicker
Franks (NJ)	Ney	Wilson
Galleghy	Norwood	Wynn
Gekas	Nussle	Young (AK)
Gillmor	Pease	

NOES—236

Abercrombie	Blagojevich	Cardin
Allen	Blumenauer	Carson
Andrews	Boehner	Chenoweth-Hage
Baca	Bonilla	Clay
Baird	Bonior	Clayton
Baldacci	Borski	Clement
Baldwin	Boswell	Clyburn
Barcia	Boucher	Collins
Barrett (NE)	Boyd	Condit
Becerra	Brady (PA)	Conyers
Bentsen	Brown (FL)	Cooksey
Berkley	Brown (OH)	Costello
Berman	Callahan	Coyne
Berry	Calvert	Cramer
Biggert	Capps	Crowley
Bishop	Capuano	Cummings

Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Edwards
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Gutierrez
Hall (TX)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hoyer
Hunter
Inlee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)

Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Lampson
Lantos
Larson
Latham
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Menendez
Millender-
McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Napolitano
Neal
Northup
Oberstar
Obey
Oliver
Ortiz
Ose
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Portman
Price (NC)
Pryce (OH)
Rahall

NOT VOTING—25

Ackerman
Baker
Barrett (WI)
Bliley
McColum
Campbell
Delahunt
Engel
Ganske
Largent

Lowey
Maloney (NY)
Martinez
McColum
McCrery
McIntosh
McNulty
Meeks (NY)
Nadler

□ 1932

Mr. LEWIS of Georgia and Mr. HUNTER changed their vote from “aye” to “no.”

Mrs. MORELLA and Messrs. SMITH of Michigan, PETERSON of Pennsylvania, REYNOLDS, and DOGGETT changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 499, the Chair announces that he will reduce to a minimum of 5 minutes the time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 225, not voting 21, as follows:

[Roll No. 188]

AYES—188

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)

Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inlee
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Linder
Lipinski
Lofgren
Lucas (KY)
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Menendez
Millender-
McDonald
Miller, George
Mink
Moakley

Moore
Moran (VA)
Napolitano
Neal
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sherman
Simpson
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte

NOT VOTING—21

Ackerman
Bliley
Campbell
Engel
Ganske
Kaptur
Largent

Lowey
Maloney (NY)
Martinez
McColum
McIntosh
McNulty
Meeks (NY)

□ 1941

Mr. LUTHER changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes, pursuant to House Resolution 499, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. NUSSLE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 250, not voting 18, as follows:

[Roll No. 189]

AYES—166

Aderholt	Coburn	Ganske
Archer	Collins	Gekas
Armey	Combust	Gibbons
Baker	Condit	Gilchrest
Ballenger	Cooksey	Goode
Barr	Cox	Goodlatte
Bartlett	Crane	Goodling
Barton	Davis (VA)	Goss
Bass	Deal	Graham
Bilbray	DeFazio	Green (WI)
Blunt	DeLay	Greenwood
Bono	DeMint	Gutknecht
Brady (TX)	Diaz-Balart	Hansen
Bryant	Doggett	Hastings (WA)
Burr	Dreier	Hayes
Burton	Dunn	Hayworth
Buyer	Ehrlich	Hefley
Camp	English	Herger
Canady	Ewing	Hill (MT)
Cannon	Fletcher	Hilleary
Cardin	Foley	Hoekstra
Castle	Fossella	Horn
Chabot	Franks (NJ)	Hostettler
Chambliss	Frelinghuysen	Houghton
Coble	Gallegly	Hulshof

Hutchinson	Norwood	Shimkus
Inslee	Nussle	Simpson
Isakson	Oxley	Smith (MI)
Jenkins	Pease	Smith (NJ)
Johnson (CT)	Peterson (PA)	Smith (TX)
Johnson, Sam	Petri	Smith (WA)
Jones (NC)	Pickering	Souder
Kasich	Pitts	Stearns
Kingston	Pombo	Stenholm
LaHood	Portman	Sununu
Latham	Pryce (OH)	Sweeney
Lazio	Radanovich	Talent
Leach	Ramstad	Tancredo
Linder	Reynolds	Tanner
LoBiondo	Rogan	Tauzin
Lucas (KY)	Rohrabacher	Terry
Lucas (OK)	Ros-Lehtinen	Thomas
Luther	Roukema	Thornberry
Manzullo	Royce	Thune
McCrery	Ryan (WI)	Toomey
McHugh	Ryun (KS)	Upton
McInnis	Salmon	Vitter
McKeon	Sanford	Walden
Meehan	Saxton	Wamp
Metcalfe	Scarborough	Watts (OK)
Mica	Schaffer	Weldon (FL)
Miller, Gary	Sensenbrenner	Weller
Minge	Sessions	Whitfield
Moran (KS)	Shadegg	Wilson
Myrick	Shaw	
Nethercutt	Shays	

NOES—250

Abercrombie	Doyle	Larson
Allen	Duncan	LaTourette
Andrews	Edwards	Lee
Baca	Ehlers	Levin
Bachus	Emerson	Lewis (CA)
Baird	Eshoo	Lewis (GA)
Baldacci	Etheridge	Lewis (KY)
Baldwin	Evans	Lipinski
Barcia	Everett	Lofgren
Barrett (NE)	Farr	Maloney (CT)
Barrett (WI)	Fattah	Markey
Bateman	Filner	Mascara
Becerra	Forbes	Matsui
Bentsen	Ford	McCarthy (MO)
Bereuter	Fowler	McCarthy (NY)
Berkley	Frank (MA)	McDermott
Berman	Frost	McGovern
Berry	Gejdenson	McIntyre
Biggart	Gephardt	McKinney
Bilirakis	Gillmor	Meek (FL)
Bishop	Gilman	Menendez
Blagojevich	Gonzalez	Millender
Blumenauer	Gordon	McDonald
Boehlert	Granger	Miller (FL)
Boehner	Green (TX)	Miller, George
Bonilla	Gutierrez	Mink
Bonior	Hall (OH)	Moakley
Borski	Hall (TX)	Mollohan
Boswell	Hastings (FL)	Moore
Boucher	Hill (IN)	Moran (VA)
Boyd	Hilliard	Morella
Brady (PA)	Hinchey	Murtha
Brown (FL)	Hinojosa	Napolitano
Brown (OH)	Hobson	Neal
Callahan	Hoeffel	Ney
Calvert	Holden	Northup
Capps	Holt	Oberstar
Capuano	Hooley	Obey
Carson	Hoyer	Olver
Chenoweth-Hage	Hunter	Ortiz
Clay	Hyde	Ose
Clayton	Istook	Packard
Clement	Jackson (IL)	Pallone
Clyburn	Jackson-Lee	Pascarell
Conyers	(TX)	Pastor
Cook	Jefferson	Paul
Costello	John	Payne
Coyne	Johnson, E. B.	Pelosi
Cramer	Jones (OH)	Peterson (MN)
Crowley	Kanjorski	Phelps
Cubin	Kaptur	Pickett
Cummings	Kelly	Pomeroy
Cunningham	Kennedy	Porter
Danner	Kildee	Price (NC)
Davis (FL)	Kilpatrick	Quinn
Davis (IL)	Kind (WI)	Rahall
DeGette	King (NY)	Regula
Delahunt	Klecza	Reyes
DeLauro	Klink	Riley
Deutsch	Knollenberg	Rivers
Dickey	Kolbe	Rodriguez
Dicks	Kucinich	Roemer
Dingell	Kuykendall	Rogers
Dixon	LaFalce	Rothman
Dooley	Lampson	Roybal-Allard
Doolittle	Lantos	Rush

Sabo	Stabenow	Visclosky
Sanchez	Stark	Walsh
Sanders	Strickland	Waters
Sandlin	Stump	Watkins
Sawyer	Tauscher	Watt (NC)
Schakowsky	Taylor (MS)	Waxman
Scott	Taylor (NC)	Weiner
Sherman	Thompson (CA)	Weldon (PA)
Sherwood	Thompson (MS)	Wexler
Shows	Thurman	Weygand
Shuster	Tiahrt	Wicker
Sisisky	Tierney	Wise
Skeen	Towns	Wolf
Skelton	Trafcant	Woolsey
Slaughter	Turner	Wu
Snyder	Udall (CO)	Wynn
Spence	Velazquez	Young (AK)
Spratt	Vento	Young (FL)

NOT VOTING—18

Ackerman	Maloney (NY)	Nadler
Bliley	Martinez	Owens
Campbell	McCollum	Rangel
Engel	McIntosh	Serrano
Largent	McNulty	Stupak
Lowey	Meeks (NY)	Udall (NM)

□ 2000

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 853, the legislation just considered.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Iowa?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEARS 2000, 2001, AND 2002

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 1654, to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002:

Messrs. SENSENBRENNER, ROHR-ABACHER, WELDON of Florida, HALL of Texas, and GORDON.

There was no objection.

REPORT ON H.R. 4461, DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS, 2001

Mr. SKEEN, from the Committee on Appropriations, submitted a privileged report (Report No. 106-619) on the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2001, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.